

ESTTA Tracking number: **ESTTA779787**Filing date: **10/28/2016**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91196299
Party	Plaintiff Connect Public Relations, Inc.
Correspondence Address	KARL R CANNON CLAYTON HOWARTH & CANNON PC PO BOX 1909 SANDY, UT 84091 1909 UNITED STATES kcannon@chcpat.com, ttetzel@chcpat.com, docketclerk@chcpat.com, bdavis@chcpat.com, docketclerk@chcpat.com, rgillan@chcpat.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Karl R. Cannon
Filer's e-mail	kcannon@chcpat.com, docketclerk@chcpat.com
Signature	/Karl R. Cannon/
Date	10/28/2016
Attachments	<p>Opposers First Notice of Reliance.pdf(80925 bytes)</p> <p>Exhibit 1 USReg2362916 CONNECT PUBLIC RELATIONS.pdf(57060 bytes)</p> <p>Exhibit 2 USReg2373504 CONNECT PUBLIC RELATIONS.pdf(75982 bytes)</p> <p>Exhibit 3 USReg2373505 CONNECT PUBLIC RELATIONS.pdf(72275 bytes)</p> <p>Exhibit 4 USReg2383778 CONNECT PUBLIC RELATIONS.pdf(69456 bytes)</p> <p>Exhibit 5 USReg2365074 CONNECTPR.pdf(58423 bytes)</p> <p>Exhibit 6 USReg2366850 CONNECTPR.pdf(64731 bytes)</p> <p>Exhibit 7 USReg2383777 CONNECTPR.pdf(69021 bytes)</p> <p>Exhibit 8 USReg2713692 CONNECTPR.pdf(62770 bytes)</p> <p>Exhibit 9 USReg3330353 CONNECTPR.pdf(57890 bytes)</p> <p>Exhibit 10 Opposers First Set of Requests for Admissions Nos. 1-76.pdf(569312 bytes)</p> <p>Exhibit 11 Opposers Second Set of Requests for Admissions.pdf(258287 bytes)</p> <p>Exhibit 12 Opposers Third Set of Requests for Admissions.pdf(3556109 bytes)</p> <p>Exhibit 13 Opposers First Set of Interrogatories Nos. 1-21.pdf(540472 bytes)</p> <p>Exhibit 14 Opposers Second Set of Interrogatories.pdf(221126 bytes)</p> <p>Exhibit 15 Opposers Third Set of Interrogatories.pdf(413993 bytes)</p> <p>Exhibit 16 Applicants Response to Request for Admissions Set One.pdf(980061 bytes)</p> <p>Exhibit 17 Applicants Supplemental Response to Opposers Request for Admissions Set One.pdf(1577532 bytes)</p> <p>Exhibit 18 Applicants Response to Request for Admissions Set Two.pdf(755988 bytes)</p> <p>Exhibit 19 Applicants Responses to Opposers Third Set of Requests for Admission.pdf(1523025 bytes)</p> <p>Exhibit 20 Applicants Response to Interrogatories Set One.pdf(644135 bytes)</p> <p>Exhibit 21 Applicants Supplemental Response to Interrogatories from Opposer Set One.pdf(757689 bytes)</p> <p>Exhibit 22 Applicants Response to Interrogatories Set Two.pdf(762373 bytes)</p> <p>Exhibit 23 Applicants Responses to Opposers Third Set of Interrogatories.pdf(1165749 bytes)</p> <p>Exhibit 24 MARKETING Random House Websters Unabridged Dictionary.pdf(885784 bytes)</p> <p>Exhibit 25.pdf(1107956 bytes)</p> <p>Exhibit 26.pdf(3580108 bytes)</p> <p>Exhibit 27.pdf(2191971 bytes)</p>

	Exhibit 28.pdf(445798 bytes)
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KARL R. CANNON (Registration No. 36,468)
CLAYTON, HOWARTH & CANNON, P.C.
6985 Union Park Center, Suite 200
Cottonwood Heights, Utah 84047
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorney for Connect Public Relations, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Opposition No. 91196299 (Parent)

CONNECT PUBLIC RELATIONS, INC.,
Opposer,

v.

DIGITALMOJO, INC., Applicant.

Cancellation Nos. 92054395 & 92054427

DIGITALMOJO, INC., Petitioner,

v.

CONNECT PUBLIC RELATIONS, INC.,
Respondent.

**OPPOSER'S FIRST NOTICE OF
RELIANCE**

Opposer and Respondent, Connect Public Relations, Inc., pursuant to TBMP §704, hereby submits the following materials, by this Notice of Reliance, in support of Opposer's opposition to registration of Applicant and Petitioner Digitalmojo, Inc.'s, CONNECT mark (Ser. No. 77/714,693):

1. Attached hereto as Exhibit 1 is a true and correct copy of Opposer's registration (and pages printed from the United States Patent and Trademark Office's (USPTO) Trademark Status & Document Retrieval (TSDR) server), for the CONNECT PUBLIC RELATIONS mark, Reg. No. 2,362,916, in international class 16.

2. Attached hereto as Exhibit 2 is a true and correct copy of Opposer's registration (and pages printed from the USPTO's TSDR server), for the CONNECT PUBLIC RELATIONS mark, Reg. No. 2,373,504, in international class 35.

3. Attached hereto as Exhibit 3 is a true and correct copy of Opposer's registration (and pages printed from the USPTO's TSDR server), for the CONNECT PUBLIC RELATIONS mark, Reg. No. 2,373,505, in international class 9.

4. Attached hereto as Exhibit 4 is a true and correct copy of Opposer's registration (and pages printed from the USPTO's TSDR server), for the CONNECT PUBLIC RELATIONS mark, Reg. No. 2,383,778, in international class 38.

5. Attached hereto as Exhibit 5 is a true and correct copy of Opposer's registration (and pages printed from the USPTO's TSDR server), for the CONNECTPR mark, Reg. No. 2,365,074, in international class 38.

6. Attached hereto as Exhibit 6 is a true and correct copy of Opposer's registration (and pages printed from the USPTO's TSDR server), for the CONNECTPR mark, Reg. No. 2,366,850, in international class 35.

7. Attached hereto as Exhibit 7 is a true and correct copy of Opposer's registration (and pages printed from the USPTO's TSDR server), for the CONNECTPR mark, Reg. No. 2,383,777, in international class 9.

8. Attached hereto as Exhibit 8 is a true and correct copy of Opposer's registration (and pages printed from the USPTO's TSDR server), for the CONNECTPR mark, Reg. No. 2,713,692, in international class 16.

9. Attached hereto as Exhibit 9 is a true and correct copy of Opposer's registration (and pages printed from the USPTO's TSDR server), for the CONNECTPR mark, Reg. No. 3,330,353, in international class 16.

10. Attached hereto as Exhibit 10, is a true and correct copy of Opposer's First Set of Requests for Admissions.

11. Attached hereto as Exhibit 11, is a true and correct copy of Opposer's Second Set of Requests for Admissions.

12. Attached hereto as Exhibit 12, is a true and correct copy of Opposer's Third Set of Requests for Admissions.

13. Attached hereto as Exhibit 13, is a true and correct copy of Opposer's First Set of Interrogatories.

14. Attached hereto as Exhibit 14, is a true and correct copy of Opposer's Second Set of Interrogatories.

15. Attached hereto as Exhibit 15, is a true and correct copy of Opposer's Third Set of Interrogatories.

16. Attached hereto as Exhibit 16, is a true and correct copy of Applicant's Response to Request for Admissions, Set One.

17. Attached hereto as Exhibit 17, is a true and correct copy of Applicant's Supplemental Response to Opposer's Request for Admissions, Set One.

18. Attached hereto as Exhibit 18, is a true and correct copy of Applicant's Response to Request for Admissions, Set Two.

19. Attached hereto as Exhibit 19, is a true and correct copy of Applicant's Response to Opposer's Third Set of Request for Admission.

20. Attached hereto as Exhibit 20, is a true and correct copy of Applicant's Response to Interrogatories, Set One.

21. Attached hereto as Exhibit 21, is a true and correct copy of Applicant's Supplemental Response to Interrogatories From Opposer, Set One.

22. Attached hereto as Exhibit 22, is a true and correct copy of Applicant's Response to Interrogatories, Set Two.

23. Attached hereto as Exhibit 23, is a true and correct copy of Applicant's Responses to Opposer's Third Set of Interrogatories.

24. Attached hereto as Exhibit 24, is a true and correct copy of an excerpt from "Random House Webster's Unabridged Dictionary," published in 2001, which is relevant in defining the term "marketing" and thereby relevant to likelihood of confusion.

25. Attached hereto as Exhibit 25, is a true and correct copy of an excerpt from the printed publication, periodical, titled "Technology Marketing Intelligence" Vol. XVIII, #8, published in Aug. 1998, which is relevant to at least, channels of trade, customers, and likelihood of confusion.

26. Attached hereto as Exhibit 26, is a true and correct copy of a series of pages on Opposer's website, located at www.connectmarketing.com, as publically viewed on March 21, 2013, which is relevant to at least, channels of trade, customers, and likelihood of confusion.

27. Attached hereto as Exhibit 27, is a true and correct copy of a series of pages on Opposer's website, located at www.connectmarketing.com, as publically viewed on April 4, 2014, which is relevant to at least, channels of trade, customers, and likelihood of confusion.

28. Attached hereto as Exhibit 28, is a true and correct copy of a series of pages on Opposer's website, located at www.connectpr.com, as publically viewed on August 19, 2010 and August 20, 2010, and downloaded on October 28, 2016, which is relevant to at least, channels of trade, customers, and likelihood of confusion.

Respectfully submitted this 28th day of October, 2016.

/Karl R. Cannon/
Karl R. Cannon

CLAYTON, HOWARTH & CANNON, P.C.
Attorney for Opposer
Connect Public Relations, Inc.

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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this document is today being submitted via electronic filing utilizing the ESTTA system on:

Date: October 28, 2016

/Karl R. Cannon/

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing OPPOSER'S FIRST NOTICE OF RELIANCE to be served, via first class mail, postage prepaid, on this 28th day of October, 2016 to:

Thomas W. Cook, Esq.
Thomas Cook Intellectual Property Attorneys
3030 Bridgeway, Suite 425-430
Sausalito, California 94965-2810

/Karl R. Cannon/

EXHIBIT 1

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

Reg. No. 2,362,916

United States Patent and Trademark Office

Registered June 27, 2000

**TRADEMARK
PRINCIPAL REGISTER**

CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

FOR: PRINTED PUBLICATIONS, NAMELY, REPORTS, PRESS KITS AND BROCHURES IN THE FIELDS OF MARKET RESEARCH AND CONSULTING, PUBLIC AND MEDIA RELATIONS, SALES PROMOTION, STRATEGIC MARKETING PLANNING, DEVELOPMENT OF MARKET POSITIONING AND MESSAGING, BACKGROUND EDI-

TORIAL SUPPORT OF SALES PROMOTION MATERIAL, AND SEMINAR CREATION AND OPERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 6-0-1998; IN COMMERCE 6-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,522, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2016-10-28 14:22:17 EDT

Mark: CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS

US Serial Number: 75456522

Application Filing Date: Mar. 25, 1998

US Registration Number: 2362916

Registration Date: Jun. 27, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Jun. 29, 2010

Publication Date: Jul. 20, 1999

Notice of Allowance Date: Oct. 12, 1999

Mark Information

Mark Literal Elements: CONNECT PUBLIC RELATIONS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Printed publications, namely, reports, press kits and brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 1998

Use in Commerce: Jun. 1998

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH
PROVO, UTAH 84606
UNITED STATES

Legal Entity Type: CORPORATION

State or Country: UTAH

Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KARL R CANNON
Attorney Primary Email Address: docketclerk@chcpat.com
Docket Number: T6674
Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: KARL R CANNON
CLAYTON, HOWARTH & CANNON, P.C.
P.O. BOX 1909
SANDY, UTAH 84091
UNITED STATES
Phone: 801-255-5335
Fax: 801-255-5338
Correspondent e-mail: docketclerk@chcpat.com
Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 29, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jun. 29, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 28, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sep. 12, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Sep. 12, 2006	ASSIGNED TO PARALEGAL	67723
Jun. 27, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jun. 27, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 17, 2006	CASE FILE IN TICRS	
Jun. 27, 2000	REGISTERED-PRINCIPAL REGISTER	
May 01, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 27, 2000	ASSIGNED TO EXAMINER	61751
Apr. 24, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Oct. 12, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 20, 1999	PUBLISHED FOR OPPOSITION	
Jun. 18, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 20, 1998	ASSIGNED TO EXAMINER	61751
Aug. 19, 1998	ASSIGNED TO EXAMINER	73711

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: Jun. 27, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE
Date in Location: Jun. 29, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [1814/0863](#)

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

Assignor

Name: [NETWORK ASSOCIATES CONSULTING, INC.](#)

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [CONNECT PUBLIC RELATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH
PROVO, UTAH 84606

Correspondent

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON
P.O. BOX 1219
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91200184](#)

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200
LOS ANGELES CA , 90012
UNITED STATES

Correspondent e-mail: hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	Abandoned - Failure to Respond	85114558	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNOR
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091-1909
UNITED STATES

Correspondent e-mail: docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Registered	85061230	4584664
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA , 94965 2810
UNITED STATES

Correspondent e-mail: tom@thomascooklaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CONNECT	Opposition Pending	77714693	
Plaintiff(s)			
Name: Connect Public Relations, Inc.			

Correspondent KARL R CANNON
Address: CLAYTON HOWARTH & CANNON PC
 PO BOX 1909
 SANDY UT , 84091 1909
 UNITED STATES

Correspondent e-mail: kcannon@chcpat.com , ttetzi@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com , at.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	
31	P MOT FOR SUMMARY JUDGMENT	Apr 29, 2014	
32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	
33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	
	P OPP/RESP TO MOTION		

35		Jun 11, 2014	
36	D REPLY IN SUPPORT OF MOTION	Jul 21, 2014	
37	P MOT TO STRIKE	Sep 15, 2014	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	
40	P REPLY IN SUPPORT OF MOTION	Nov 05, 2014	
41	P MOT FOR SUMMARY JGT GRANTED IN PART	Feb 27, 2015	
42	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015	
45	SUSPENDED	May 22, 2015	
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016	
47	P OPP/RESP TO MOTION	Feb 11, 2016	
48	D REPLY IN SUPPORT OF MOTION	Feb 26, 2016	
49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016	
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016	
51	PROCEEDINGS RESUMED	Apr 29, 2016	
52	STIP FOR EXT	Jun 16, 2016	
53	EXTENSION OF TIME GRANTED	Jul 26, 2016	
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016	
55	EXTENSION OF TIME GRANTED	Sep 28, 2016	
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016	
57	EXTENSION OF TIME GRANTED	Oct 24, 2016	

EXHIBIT 2

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,373,504

United States Patent and Trademark Office

Registered Aug. 1, 2000

**SERVICE MARK
PRINCIPAL REGISTER**

CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

FIRST USE 5-0-1998; IN COMMERCE 5-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

FOR: MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES; PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

SN 75-456,519, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

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Mark: CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS

US Serial Number: 75456519

Application Filing Date: Mar. 25, 1998

US Registration Number: 2373504

Registration Date: Aug. 01, 2000

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The Trademark Trial and Appeal Board has terminated a cancellation proceeding. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Oct. 18, 2011

Publication Date: Sep. 21, 1999

Notice of Allowance Date: Dec. 14, 1999

Mark Information

Mark Literal Elements: CONNECT PUBLIC RELATIONS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Marketing and market research and consulting services; public and media relations services and sales promotion services

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1998

Use in Commerce: May 1998

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH
PROVO, UTAH UNITED STATES 84606

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6671

Attorney Primary docketclerk@chcpat.com
Email Address:

Attorney Email No
Authorized:

Correspondent

Correspondent KARL R CANNON
Name/Address: CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY, UTAH UNITED STATES 84091-1909

Phone: 801-255-5335

Fax: 801-255-5338

Correspondent e-mail: docketclerk@chcpat.com

Correspondent e-mail No
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 18, 2011	TTAB RELEASE CASE TO TRADEMARKS	54427
Oct. 18, 2011	CANCELLATION TERMINATED NO. 999999	54427
Oct. 18, 2011	CANCELLATION DISMISSED NO. 999999	54427
Aug. 29, 2011	CANCELLATION INSTITUTED NO. 999999	54427
Aug. 04, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Aug. 04, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sep. 30, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Sep. 27, 2006	ASSIGNED TO PARALEGAL	68502
Aug. 01, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 01, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 09, 2006	CASE FILE IN TICRS	
Aug. 01, 2000	REGISTERED-PRINCIPAL REGISTER	
May 24, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 22, 2000	ASSIGNED TO EXAMINER	61751
May 17, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Dec. 14, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 21, 1999	PUBLISHED FOR OPPOSITION	
Aug. 20, 1999	NOTICE OF PUBLICATION	
Apr. 07, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 20, 1998	ASSIGNED TO EXAMINER	61751
Aug. 19, 1998	ASSIGNED TO EXAMINER	73711

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 01, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 04, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [1814/0863](#)

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

Assignor

Name: [NETWORK ASSOCIATES CONSULTING, INC.](#)

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [CONNECT PUBLIC RELATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH
PROVO, UTAH 84606

Correspondent

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON
P.O. BOX 1219
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Cancellation

Proceeding Number: [92054427](#)

Filing Date: Aug 22, 2011

Status: Pending

Status Date: Oct 19, 2011

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT UNITED STATES , 84091-1909

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504

Plaintiff(s)

Name: DigitalMojo, Inc.

Correspondent THOMAS W COOK
Address: THOMAS COOK INTELLECTUAL PROPERTY ATTORNEYS
3030 BRIDGEWAY , SUITE 425
SAUSALITO CA UNITED STATES , 94965

Correspondent e-mail: tom@thomascooklaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

CONNECT Opposition Pending [77714693](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 22, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 29, 2011	Oct 08, 2011
3	PENDING, INSTITUTED	Aug 29, 2011	
4	P'S CERTIFICATE OF SERVICE	Aug 30, 2011	
5	D'S MOTION TO DISMISS - RULE 12(B)	Sep 15, 2011	
6	ANSWER	Oct 03, 2011	
7	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Oct 18, 2011	
8	TERMINATED	Oct 18, 2011	
9	P'S OPPOSITION/RESPONSE TO MOTION	Oct 17, 2011	
10	P'S CONSENTED MOTION TO REOPEN TIME TO RESPOND TO MOTION TO DISMISS.	Oct 24, 2011	
11	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 08, 2011	
12	D'S CORRECTION OF #9	Nov 08, 2011	
13	D'S OPPOSITION/RESPONSE TO MOTION	Nov 28, 2011	
14	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Feb 06, 2012	
15	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Oct 01, 2012	
16	ANSWER	Apr 18, 2013	
17	D MOTION	Apr 18, 2013	
18	D MOT FOR SUMMARY JGT GRANTED	Feb 27, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91200184](#)

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200
LOS ANGELES CA UNITED STATES , 90012

Correspondent e-mail: hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

CONNECT2MARKETING Abandoned - Failure to Respond [85114558](#)

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT UNITED STATES , 84091-1909

Correspondent e-mail: docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com

Associated marks			
Mark	Application Status	Serial	Registration

Mark	Application Status	Number	Number
CONNECT MARKETING	Registered	85061230	4584664
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA UNITED STATES , 94965 2810

Correspondent e-mail: tom@thomascooklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT	Opposition Pending	77714693	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT UNITED STATES , 84091 1909

Correspondent e-mail: kcannon@chcpat.com , ttetzel@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	
31	P MOT FOR SUMMARY JUDGMENT	Apr 29, 2014	
32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	
33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	
35	P OPP/RESP TO MOTION	Jun 11, 2014	
36	D REPLY IN SUPPORT OF MOTION	Jul 21, 2014	
37	P MOT TO STRIKE	Sep 15, 2014	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	

40	P REPLY IN SUPPORT OF MOTION	Nov 05, 2014
41	P MOT FOR SUMMARY JGT GRANTED IN PART	Feb 27, 2015
42	D MOT TO COMPEL DISCOVERY	Mar 12, 2015
43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015
45	SUSPENDED	May 22, 2015
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016
47	P OPP/RESP TO MOTION	Feb 11, 2016
48	D REPLY IN SUPPORT OF MOTION	Feb 26, 2016
49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016
51	PROCEEDINGS RESUMED	Apr 29, 2016
52	STIP FOR EXT	Jun 16, 2016
53	EXTENSION OF TIME GRANTED	Jul 26, 2016
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016
55	EXTENSION OF TIME GRANTED	Sep 28, 2016
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016
57	EXTENSION OF TIME GRANTED	Oct 24, 2016

EXHIBIT 3

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,373,505

United States Patent and Trademark Office

Registered Aug. 1, 2000

**TRADEMARK
PRINCIPAL REGISTER**

CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

FOR: PRERECORDED AUDIO RECORDINGS, PRERECORDED VIDEO RECORDINGS, AND PRERECORDED AUDIO-VISUAL RECORDINGS FEATURING TOPICS IN THE FIELDS OF MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES; ELECTRONIC PUBLICATIONS FEATURING TOPICS IN THE FIELDS OF MARKETING AND

MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES ON COMPUTER DISCS AND CD-ROMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-0-1998; IN COMMERCE 7-0-1998.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,523, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2016-10-28 14:27:40 EDT

Mark: CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS

US Serial Number: 75456523

Application Filing Date: Mar. 25, 1998

US Registration Number: 2373505

Registration Date: Aug. 01, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 04, 2010

Publication Date: Jul. 06, 1999

Notice of Allowance Date: Sep. 28, 1999

Mark Information

Mark Literal Elements: CONNECT PUBLIC RELATIONS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 1998

Use in Commerce: Jul. 1998

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH
PROVO, UTAH 84606
UNITED STATES

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6675

Attorney Primary docketclerk@chcpat.com
Email Address:

Attorney Email No
Authorized:

Correspondent

Correspondent Name/Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY, UTAH 84091
UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Correspondent e-mail: docketclerk@chcpat.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 04, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Aug. 04, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Sep. 30, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Sep. 27, 2006	ASSIGNED TO PARALEGAL	68502
Aug. 01, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	61751
Aug. 01, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 09, 2006	CASE FILE IN TICRS	
Aug. 01, 2000	REGISTERED-PRINCIPAL REGISTER	
May 24, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 22, 2000	ASSIGNED TO EXAMINER	
May 15, 2000	STATEMENT OF USE PROCESSING COMPLETE	
May 15, 2000	EXTENSION 1 GRANTED	
Mar. 24, 2000	USE AMENDMENT FILED	
Mar. 24, 2000	EXTENSION 1 FILED	
Sep. 28, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 06, 1999	PUBLISHED FOR OPPOSITION	
Jun. 04, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 07, 1998	NON-FINAL ACTION MAILED	
Nov. 30, 1998	ASSIGNED TO EXAMINER	61751
Nov. 17, 1998	ASSIGNED TO EXAMINER	62520

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 01, 2010

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 04, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [1814/0863](#)

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

Assignor

Name: [NETWORK ASSOCIATES CONSULTING, INC.](#)

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [CONNECT PUBLIC RELATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH
PROVO, UTAH 84606

Correspondent

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON
P.O. BOX 1219
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91200184](#)

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200
LOS ANGELES CA , 90012
UNITED STATES

Correspondent e-mail: hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	Abandoned - Failure to Respond	85114558	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNON
CLAYTON HOWARTH & CANNON PC

PO BOX 1909
SANDY UT , 84091-1909
UNITED STATES

Correspondent e-mail: docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Registered	85061230	4584664
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA , 94965 2810
UNITED STATES

Correspondent e-mail: tom@thomascooklaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

CONNECT

Plaintiff(s)**Name:** Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091 1909
UNITED STATES

Correspondent e-mail: kcannon@chcpat.com , tietzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	
31	P MOT FOR SUMMARY JUDGMENT	Apr 29, 2014	

32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	
33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	
35	P OPP/RESP TO MOTION	Jun 11, 2014	
36	D REPLY IN SUPPORT OF MOTION	Jul 21, 2014	
37	P MOT TO STRIKE	Sep 15, 2014	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	
40	P REPLY IN SUPPORT OF MOTION	Nov 05, 2014	
41	P MOT FOR SUMMARY JGT GRANTED IN PART	Feb 27, 2015	
42	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015	
45	SUSPENDED	May 22, 2015	
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016	
47	P OPP/RESP TO MOTION	Feb 11, 2016	
48	D REPLY IN SUPPORT OF MOTION	Feb 26, 2016	
49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016	
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016	
51	PROCEEDINGS RESUMED	Apr 29, 2016	
52	STIP FOR EXT	Jun 16, 2016	
53	EXTENSION OF TIME GRANTED	Jul 26, 2016	
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016	
55	EXTENSION OF TIME GRANTED	Sep 28, 2016	
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016	
57	EXTENSION OF TIME GRANTED	Oct 24, 2016	

EXHIBIT 4

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

Reg. No. 2,383,778

United States Patent and Trademark Office

Registered Sep. 5, 2000

**SERVICE MARK
PRINCIPAL REGISTER**

CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

FOR: COMMUNICATIONS SERVICES, NAMELY,
DELIVERY OF MESSAGES BY ELECTRONIC
TRANSMISSION, IN CLASS 38 (U.S. CLS. 100, 101
AND 104).

FIRST USE 5-0-1999; IN COMMERCE 5-0-1999.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT
TO USE "PUBLIC RELATIONS", APART FROM THE
MARK AS SHOWN.

SN 75-456,520, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

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Mark: CONNECT PUBLIC RELATIONS

CONNECT PUBLIC RELATIONS

US Serial Number: 75456520

Application Filing Date: Mar. 25, 1998

US Registration Number: 2383778

Registration Date: Sep. 05, 2000

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Sep. 11, 2010

Publication Date: Aug. 31, 1999

Notice of Allowance Date: Nov. 23, 1999

Mark Information

Mark Literal Elements: CONNECT PUBLIC RELATIONS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Communications services, namely, delivery of messages by electronic transmission

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1999

Use in Commerce: May 1999

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH
PROVO, UTAH UNITED STATES 84606

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6672

Attorney Primary docketclerk@chcpat.com
Email Address:

Attorney Email No
Authorized:

Correspondent

Correspondent KARL R CANNON
Name/Address: CLAYTON, HOWARTH & CANNON, P.C.
P O BOX 1909
SANDY, UTAH UNITED STATES 84091-1219

Phone: 801-255-5335

Fax: 801-255-5338

Correspondent e- docketclerk@chcpat.com
mail:

Correspondent e- No
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 11, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Sep. 11, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 07, 2010	TEAS SECTION 8 & 9 RECEIVED	
Apr. 28, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Mar. 05, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 05, 2007	TEAS SECTION 8 & 15 RECEIVED	
Feb. 13, 2006	CASE FILE IN TIGRS	
Sep. 05, 2000	REGISTERED-PRINCIPAL REGISTER	
Jun. 03, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 25, 2000	ASSIGNED TO EXAMINER	61751
May 23, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Nov. 23, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 31, 1999	PUBLISHED FOR OPPOSITION	
Jul. 30, 1999	NOTICE OF PUBLICATION	
May 03, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 28, 1999	EXAMINER'S AMENDMENT MAILED	
Mar. 23, 1999	NON-FINAL ACTION MAILED	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 20, 1998	ASSIGNED TO EXAMINER	61751
Aug. 19, 1998	ASSIGNED TO EXAMINER	73711

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted
Continued Use:

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Sep. 05, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Sep. 11, 2010

Assignment Abstract Of Title Information**Summary**

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [1814/0863](#)

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)**Assignor**Name: [NETWORK ASSOCIATES CONSULTING, INC.](#)

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:**Assignee**Name: [CONNECT PUBLIC RELATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:Address: 80 EAST 100 NORTH
PROVO, UTAH 84606**Correspondent**

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON
P.O. BOX 1219
SANDY, UTAH 84091-1219**Domestic Representative - Not Found****Proceedings****Summary**

Number of Proceedings: 2

Type of Proceeding: OppositionProceeding Number: [91200184](#)

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200
LOS ANGELES CA UNITED STATES , 90012Correspondent e-mail: hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	Abandoned - Failure to Respond	85114558	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNOR
CLAYTON HOWARTH & CANNON PC

PO BOX 1909
SANDY UT UNITED STATES , 84091-1909

Correspondent e-mail: docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Registered	85061230	4584664
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA UNITED STATES , 94965 2810

Correspondent e-mail: tom@thomascooklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT	Opposition Pending	77714693	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent KARL R CANNON
Address: CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT UNITED STATES , 84091 1909

Correspondent e-mail: kcannon@chcpat.com , ttetzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
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CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	
31	P MOT FOR SUMMARY JUDGMENT	Apr 29, 2014	
32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	
33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	

35	P OPP/RESP TO MOTION	Jun 11, 2014	
36	D REPLY IN SUPPORT OF MOTION	Jul 21, 2014	
37	P MOT TO STRIKE	Sep 15, 2014	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	
40	P REPLY IN SUPPORT OF MOTION	Nov 05, 2014	
41	P MOT FOR SUMMARY JGT GRANTED IN PART	Feb 27, 2015	
42	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015	
45	SUSPENDED	May 22, 2015	
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016	
47	P OPP/RESP TO MOTION	Feb 11, 2016	
48	D REPLY IN SUPPORT OF MOTION	Feb 26, 2016	
49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016	
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016	
51	PROCEEDINGS RESUMED	Apr 29, 2016	
52	STIP FOR EXT	Jun 16, 2016	
53	EXTENSION OF TIME GRANTED	Jul 26, 2016	
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016	
55	EXTENSION OF TIME GRANTED	Sep 28, 2016	
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016	
57	EXTENSION OF TIME GRANTED	Oct 24, 2016	

EXHIBIT 5

Int. Cl.: 38

Prior U.S. Cls.: 100, 101, and 104

Reg. No. 2,365,074

United States Patent and Trademark Office

Registered July 4, 2000

**SERVICE MARK
PRINCIPAL REGISTER**

CONNECTPR

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

TRANSMISSION, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

SN 75-456,495, FILED 3-25-1998.

FOR: COMMUNICATIONS SERVICES, NAMELY,
DELIVERY OF MESSAGES BY ELECTRONIC

CRAIG D. TAYLOR, EXAMINING ATTORNEY

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Mark: CONNECTPR

CONNECTPR

US Serial Number: 75456495

Application Filing Date: Mar. 25, 1998

US Registration Number: 2365074

Registration Date: Jul. 04, 2000

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Jul. 06, 2010

Publication Date: Aug. 31, 1999

Notice of Allowance Date: Nov. 23, 1999

Mark Information

Mark Literal Elements: CONNECTPR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Communications services, namely, delivery of messages by electronic transmission

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2000

Use in Commerce: Feb. 2000

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH
PROVO, UTAH 84606
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6706

Correspondent

Correspondent Name/Address: KARL R CANNON
CLAYTON, HOWARTH & CANNON, P.C.
P.O. BOX 1909
SANDY, UTAH 84091
UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 06, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jul. 06, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Oct. 04, 2006	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Oct. 02, 2006	ASSIGNED TO PARALEGAL	67723
Jul. 05, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 05, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 17, 2006	CASE FILE IN TICRS	
Jul. 04, 2000	REGISTERED-PRINCIPAL REGISTER	
May 10, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 08, 2000	ASSIGNED TO EXAMINER	61751
May 07, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Nov. 23, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 31, 1999	PUBLISHED FOR OPPOSITION	
Jul. 30, 1999	NOTICE OF PUBLICATION	
May 03, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 28, 1999	EXAMINER'S AMENDMENT MAILED	
Mar. 23, 1999	NON-FINAL ACTION MAILED	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 18, 1998	ASSIGNED TO EXAMINER	61751
Aug. 18, 1998	ASSIGNED TO EXAMINER	69196

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 04, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 06, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [1814/0863](#)

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

Assignor

Name: [NETWORK ASSOCIATES CONSULTING, INC.](#)

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:

Assignee

Name: [CONNECT PUBLIC RELATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:

Address: 80 EAST 100 NORTH
PROVO, UTAH 84606

Correspondent

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON
P.O. BOX 1219
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91200184](#)

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200
LOS ANGELES CA , 90012
UNITED STATES

Correspondent e-mail: hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	Abandoned - Failure to Respond	85114558	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNOR
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091-1909
UNITED STATES

Correspondent e-mail: docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Registered	85061230	4584664
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA , 94965 2810
UNITED STATES

Correspondent e-mail: tom@thomascooklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT	Opposition Pending	77714693	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909

SANDY UT , 84091 1909
UNITED STATES

Correspondent e-mail: kcannon@chcpat.com , tetzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	
31	P MOT FOR SUMMARY JUDGMENT	Apr 29, 2014	
32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	
33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	
35	P OPP/RESP TO MOTION	Jun 11, 2014	
36	D REPLY IN SUPPORT OF MOTION	Jul 21, 2014	
37	P MOT TO STRIKE	Sep 15, 2014	

38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	
40	P REPLY IN SUPPORT OF MOTION	Nov 05, 2014	
41	P MOT FOR SUMMARY JGT GRANTED IN PART	Feb 27, 2015	
42	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015	
45	SUSPENDED	May 22, 2015	
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016	
47	P OPP/RESP TO MOTION	Feb 11, 2016	
48	D REPLY IN SUPPORT OF MOTION	Feb 26, 2016	
49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016	
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016	
51	PROCEEDINGS RESUMED	Apr 29, 2016	
52	STIP FOR EXT	Jun 16, 2016	
53	EXTENSION OF TIME GRANTED	Jul 26, 2016	
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016	
55	EXTENSION OF TIME GRANTED	Sep 28, 2016	
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016	
57	EXTENSION OF TIME GRANTED	Oct 24, 2016	

EXHIBIT 6

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,366,850

United States Patent and Trademark Office

Registered July 11, 2000

**SERVICE MARK
PRINCIPAL REGISTER**

CONNECTPR

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

FOR: MARKETING AND MARKET RESEARCH
AND CONSULTING SERVICES; PUBLIC AND
MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,494, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2016-10-28 14:33:40 EDT

Mark: CONNECTPR

CONNECTPR

US Serial Number: 75456494

Application Filing Date: Mar. 25, 1998

US Registration Number: 2366850

Registration Date: Jul. 11, 2000

Register: Principal

Mark Type: Service Mark

Status: A cancellation proceeding is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Aug. 23, 2011

Publication Date: Jul. 20, 1999

Notice of Allowance Date: Oct. 12, 1999

Mark Information

Mark Literal Elements: CONNECTPR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Marketing and market research and consulting services; public and media relations services and sales promotion services

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2000

Use in Commerce: Feb. 2000

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH
PROVO, UTAH 84606
UNITED STATES

Legal Entity Type: CORPORATION

State or Country: UTAH

Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6705

Correspondent

Correspondent Name/Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY, UTAH 84091-1909
UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 23, 2011	CANCELLATION INSTITUTED NO. 999999	54395
Jul. 15, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Jul. 15, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 02, 2010	TEAS SECTION 8 & 9 RECEIVED	
Jan. 20, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Jul. 11, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 11, 2006	TEAS SECTION 8 & 15 RECEIVED	
Mar. 17, 2006	CASE FILE IN TICRS	
Jul. 11, 2000	REGISTERED-PRINCIPAL REGISTER	
May 16, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 15, 2000	ASSIGNED TO EXAMINER	61751
May 05, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Mar. 24, 2000	EXTENSION 1 FILED	
Oct. 12, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 20, 1999	PUBLISHED FOR OPPOSITION	
Jun. 18, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 18, 1998	ASSIGNED TO EXAMINER	61751
Aug. 18, 1998	ASSIGNED TO EXAMINER	69196
Jul. 24, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 11, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jul. 15, 2010

Assignment Abstract Of Title Information

Summary	
Total Assignments: 1	Registrant: CONNECT PUBLIC RELATIONS, INC.
Assignment 1 of 1	
Conveyance: CHANGE OF NAME	
Reel/Frame: 1814/0863	Pages: 3
Date Recorded: Jul. 24, 1998	
Supporting Documents: assignment-tm-1814-0863.pdf	
Assignor	
Name: NETWORK ASSOCIATES CONSULTING, INC.	Execution Date: May 13, 1998
Legal Entity Type: CORPORATION	State or Country Where Organized: UTAH
Assignee	
Name: CONNECT PUBLIC RELATIONS, INC.	
Legal Entity Type: CORPORATION	State or Country Where Organized: UTAH
Address: 80 EAST 100 NORTH PROVO, UTAH 84606	
Correspondent	
Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.	
Correspondent Address: KARL R. CANNON P.O. BOX 1219 SANDY, UTAH 84091-1219	
Domestic Representative - Not Found	

Proceedings

Summary			
Number of Proceedings: 3			
Type of Proceeding: Cancellation			
Proceeding Number: 92054395	Filing Date: Aug 22, 2011		
Status: Pending	Status Date: Aug 22, 2011		
Interlocutory Attorney: GEOFFREY MCNUTT			
Defendant			
Name: Connect Public Relations, Inc.			
Correspondent Address: KARL R CANNON CLAYTON HOWARTH & CANNON PC PO BOX 1909 SANDY UT , 84091-1909 UNITED STATES			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
CONNECTPR	Cancellation Pending	75456494	2366850
Plaintiff(s)			
Name: DigitalMojo, Inc.			
Correspondent Address: THOMAS W COOK THOMAS COOKE INTELLECTUAL PROPERTY ATTORNEYS 3030 BRIDGEWAY, SUITE 425-430 SAUSALITY CA , 94965 UNITED STATES			
Correspondent e-mail: tom@thomascooklaw.com			
Associated marks			
		Serial	Registration

Mark	Application Status	Number	Number
CONNECT	Opposition Pending	77714693	
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 22, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 23, 2011	Oct 02, 2011
3	PENDING, INSTITUTED	Aug 23, 2011	
4	CERTIFICATE OF SERVICE FOR PETITION TO CANCEL	Aug 25, 2011	
5	D'S MOTION TO DISMISS - RULE 12(B)	Sep 15, 2011	
6	ANSWER	Oct 03, 2011	
7	P'S OPPOSITION/RESPONSE TO MOTION	Oct 17, 2011	
8	P'S MOTION TO REOPEN TIME TO RESPOND TO MOTION TO DISMISS	Oct 24, 2011	
9	D'S REPLY IN SUPPORT OF MOTION	Nov 07, 2011	
10	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 08, 2011	
11	P'S CORRECTION	Nov 08, 2011	
12	D'S OPPOSITION/RESPONSE TO MOTION	Nov 28, 2011	
13	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Feb 06, 2012	
14	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Oct 01, 2012	
15	ANSWER	Apr 18, 2013	
16	D MOTION	Apr 18, 2013	
17	MOTION FOR SUMMARY JUDGEMENTDENIED	Feb 27, 2015	
18	RESPONSE DUE 30 DAYS (DUE DATE)	Apr 19, 2016	May 19, 2016
19	P RESP TO BD ORDER/INQUIRY	Apr 28, 2016	
20	P RESP TO BD ORDER/INQUIRY	Apr 29, 2016	
Type of Proceeding: Opposition			
Proceeding Number:	91200184	Filing Date:	Jun 08, 2011
Status:	Terminated	Status Date:	Aug 27, 2012
Interlocutory Attorney:	CHERYL S GOODMAN		
Defendant			
Name:	Fireman's Fund Insurance Company		
Correspondent Address:	MINA I HAMILTON LEWIS BRISBOIS BISGAARD & SMITH LLP 221 NORTH FIGUEROA STREET, SUITE 1200 LOS ANGELES CA , 90012 UNITED STATES		
Correspondent e-mail:	hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com		
Associated marks			
Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	Abandoned - Failure to Respond	85114558	
Plaintiff(s)			
Name:	Connect Public Relations, Inc.		
Correspondent Address:	KARL R CONNON CLAYTON HOWARTH & CANNON PC PO BOX 1909 SANDY UT , 84091-1909 UNITED STATES		
Correspondent e-mail:	docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com		
Associated marks			
Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Registered	85061230	4584664
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	

CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA , 94965 2810
UNITED STATES

Correspondent e-mail: tom@thomascooklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT	Opposition Pending	77714693	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091 1909
UNITED STATES

Correspondent e-mail: kcannon@chcpat.com , tietzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	
31	P MOT FOR SUMMARY JUDGMENT	Apr 29, 2014	
32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	
33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	
35	P OPP/RESP TO MOTION	Jun 11, 2014	
36	D REPLY IN SUPPORT OF MOTION	Jul 21, 2014	
37	P MOT TO STRIKE	Sep 15, 2014	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	
40	P REPLY IN SUPPORT OF MOTION	Nov 05, 2014	
41	P MOT FOR SUMMARY JGT GRANTED IN PART	Feb 27, 2015	

42	D MOT TO COMPEL DISCOVERY	Mar 12, 2015
43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015
45	SUSPENDED	May 22, 2015
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016
47	P OPP/RESP TO MOTION	Feb 11, 2016
48	D REPLY IN SUPPORT OF MOTION	Feb 26, 2016
49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016
51	PROCEEDINGS RESUMED	Apr 29, 2016
52	STIP FOR EXT	Jun 16, 2016
53	EXTENSION OF TIME GRANTED	Jul 26, 2016
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016
55	EXTENSION OF TIME GRANTED	Sep 28, 2016
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016
57	EXTENSION OF TIME GRANTED	Oct 24, 2016

EXHIBIT 7

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,383,777

United States Patent and Trademark Office

Registered Sep. 5, 2000

**TRADEMARK
PRINCIPAL REGISTER**

CONNECTPR

CONNECT PUBLIC RELATIONS, INC. (UTAH CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

FOR: PRERECORDED AUDIO RECORDINGS, PRERECORDED VIDEO RECORDINGS, AND PRERECORDED AUDIO-VISUAL RECORDINGS FEATURING TOPICS IN THE FIELDS OF MARKETING AND MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES; ELECTRONIC PUBLICATIONS FEATURING TOPICS IN THE FIELDS OF MARKETING AND

MARKET RESEARCH AND CONSULTING SERVICES, PUBLIC AND MEDIA RELATIONS SERVICES AND SALES PROMOTION SERVICES ON COMPUTER DISCS AND CD-ROMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-0-2000; IN COMMERCE 3-0-2000.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,498, FILED 3-25-1998.

CRAIG D. TAYLOR, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2016-10-28 14:38:45 EDT

Mark: CONNECTPR

CONNECTPR

US Serial Number: 75456498

Application Filing Date: Mar. 25, 1998

US Registration Number: 2383777

Registration Date: Sep. 05, 2000

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Sep. 11, 2010

Publication Date: Jul. 13, 1999

Notice of Allowance Date: Oct. 05, 1999

Mark Information

Mark Literal Elements: CONNECTPR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Prerecorded audio recordings, prerecorded video recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services; electronic publications featuring topics in the fields of marketing and market research and consulting services, public and media relations services and sales promotion services on computer discs and CD-ROMs

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2000

Use in Commerce: Mar. 2000

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH
PROVO, UTAH 84606

UNITED STATES

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6709

Attorney Primary docketclerk@chcpat.com

Attorney Email No

Email Address:

Authorized:

Correspondent

Correspondent Name/Address: KARL R CANNON

CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY, UTAH 84091
UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Correspondent e-mail: docketclerk@chcpat.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 11, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Sep. 11, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Sep. 07, 2010	TEAS SECTION 8 & 9 RECEIVED	
Apr. 28, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
Mar. 05, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 05, 2007	TEAS SECTION 8 & 15 RECEIVED	
Feb. 13, 2006	CASE FILE IN TIGRS	
Sep. 05, 2000	REGISTERED-PRINCIPAL REGISTER	
Jun. 06, 2000	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 06, 2000	ASSIGNED TO EXAMINER	61751
May 23, 2000	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 24, 2000	USE AMENDMENT FILED	
Oct. 05, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 13, 1999	PUBLISHED FOR OPPOSITION	
Jun. 11, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 07, 1998	NON-FINAL ACTION MAILED	
Nov. 30, 1998	ASSIGNED TO EXAMINER	61751
Nov. 17, 1998	ASSIGNED TO EXAMINER	62520
Jul. 24, 1998	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 05, 2010

TM Staff and Location Information

TM Staff Information - None

File Location

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [1814/0863](#)

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

Assignor

Name: [NETWORK ASSOCIATES CONSULTING, INC.](#)

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country: UTAH
Where Organized:

Assignee

Name: [CONNECT PUBLIC RELATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country: UTAH
Where Organized:Address: 80 EAST 100 NORTH
PROVO, UTAH 84606

Correspondent

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON
P.O. BOX 1219
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91200184](#)

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200
LOS ANGELES CA , 90012
UNITED STATESCorrespondent e-mail: hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	Abandoned - Failure to Respond	85114558	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909

SANDY UT , 84091-1909
UNITED STATES

Correspondent e-mail: docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Registered	85061230	4584664
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA , 94965 2810
UNITED STATES

Correspondent e-mail: tom@thomascooklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT	Opposition Pending	77714693	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent KARL R CANNON

Address: CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091 1909
UNITED STATES

Correspondent e-mail: kcannon@chcpat.com , ttetzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	
22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	
31	P MOT FOR SUMMARY JUDGMENT	Apr 29, 2014	
32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	

33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	
35	P OPP/RESP TO MOTION	Jun 11, 2014	
36	D REPLY IN SUPPORT OF MOTION	Jul 21, 2014	
37	P MOT TO STRIKE	Sep 15, 2014	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	
40	P REPLY IN SUPPORT OF MOTION	Nov 05, 2014	
41	P MOT FOR SUMMARY JGT GRANTED IN PART	Feb 27, 2015	
42	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015	
45	SUSPENDED	May 22, 2015	
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016	
47	P OPP/RESP TO MOTION	Feb 11, 2016	
48	D REPLY IN SUPPORT OF MOTION	Feb 26, 2016	
49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016	
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016	
51	PROCEEDINGS RESUMED	Apr 29, 2016	
52	STIP FOR EXT	Jun 16, 2016	
53	EXTENSION OF TIME GRANTED	Jul 26, 2016	
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016	
55	EXTENSION OF TIME GRANTED	Sep 28, 2016	
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016	
57	EXTENSION OF TIME GRANTED	Oct 24, 2016	

EXHIBIT 8

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

United States Patent and Trademark Office

Reg. No. 2,713,692

Registered May 6, 2003

**TRADEMARK
PRINCIPAL REGISTER**

CONNECTPR

CONNECT PUBLIC RELATIONS, INC. (UTAH
CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

FOR: PRINTED PUBLICATIONS, NAMELY, REPORTS, PRESS KITS AND BROCHURES IN THE FIELDS OF MARKET RESEARCH AND CONSULTING, PUBLIC AND MEDIA RELATIONS, SALES PROMOTION, STRATEGIC MARKETING PLANNING, DEVELOPMENT OF MARKET POSITIONING AND MESSAGING, BACKGROUND EDITORIAL SUPPORT OF SALES PROMOTION MATERIAL, AND SEMINAR CREATION AND OP-

ERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 9-0-2002; IN COMMERCE 9-0-2002.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PUBLIC RELATIONS", APART FROM THE MARK AS SHOWN.

SN 75-456,497, FILED 3-25-1998.

INGA ERVIN, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2016-10-28 14:39:59 EDT

Mark: CONNECTPR

US Serial Number: 75456497

Application Filing Date: Mar. 25, 1998

US Registration Number: 2713692

Registration Date: May 06, 2003

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Nov. 08, 2013

Publication Date: Jul. 06, 1999

Notice of Allowance Date: Sep. 28, 1999

Mark Information

Mark Literal Elements: CONNECTPR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Disclaimer: "PUBLIC RELATIONS"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Printed publications, namely, [reports, press kits and] brochures in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion material, and seminar creation and operation

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2002

Use in Commerce: Sep. 2002

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: CONNECT PUBLIC RELATIONS, INC.

Owner Address: 80 EAST 100 NORTH
PROVO, UTAH 84606
UNITED STATES

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: KARL R CANNON

Docket Number: T6708.TM

Correspondent

Correspondent Name/Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY, UTAH 84091
UNITED STATES

Phone: 801-255-5335

Fax: 801-255-5338

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 08, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - MAILED	
Nov. 08, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Nov. 08, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Nov. 06, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	67603
Nov. 06, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jun. 12, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67603
May 06, 2009	TEAS SECTION 8 & 15 RECEIVED	
May 20, 2008	CASE FILE IN TICRS	
May 06, 2003	REGISTERED-PRINCIPAL REGISTER	
Jan. 31, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 30, 2003	ASSIGNED TO EXAMINER	76840
Jan. 23, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 28, 2002	USE AMENDMENT FILED	
Oct. 08, 2002	PAPER RECEIVED	
Mar. 28, 2002	EXTENSION 5 GRANTED	
Mar. 28, 2002	EXTENSION 5 FILED	
Oct. 15, 2001	EXTENSION 4 GRANTED	
Sep. 18, 2001	EXTENSION 4 FILED	
Apr. 30, 2001	EXTENSION 3 GRANTED	
Mar. 27, 2001	EXTENSION 3 FILED	
Dec. 13, 2000	EXTENSION 2 GRANTED	
Sep. 19, 2000	EXTENSION 2 FILED	
May 15, 2000	EXTENSION 1 GRANTED	
Mar. 24, 2000	EXTENSION 1 FILED	
Sep. 28, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 06, 1999	PUBLISHED FOR OPPOSITION	
Jun. 04, 1999	NOTICE OF PUBLICATION	
Mar. 23, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 27, 1998	NON-FINAL ACTION MAILED	
Aug. 18, 1998	ASSIGNED TO EXAMINER	61751
Aug. 18, 1998	ASSIGNED TO EXAMINER	69196

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: May 06, 2013

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 08, 2013

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: CONNECT PUBLIC RELATIONS, INC.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [1814/0863](#)

Pages: 3

Date Recorded: Jul. 24, 1998

Supporting Documents: [assignment-tm-1814-0863.pdf](#)

Assignor

Name: [NETWORK ASSOCIATES CONSULTING, INC.](#)

Execution Date: May 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Assignee

Name: [CONNECT PUBLIC RELATIONS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UTAH

Address: 80 EAST 100 NORTH
PROVO, UTAH 84606

Correspondent

Correspondent Name: THORPE, NORTH & WESTERN, L.L.P.

Correspondent Address: KARL R. CANNON
P.O. BOX 1219
SANDY, UTAH 84091-1219

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91200184](#)

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200

LOS ANGELES CA , 90012
UNITED STATES

Correspondent e-mail: hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	Abandoned - Failure to Respond	85114558	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent KARL R CONNOR

Address: CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091-1909
UNITED STATES

Correspondent e-mail: docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Registered	85061230	4584664
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant**Name:** Digitalmojo, Inc.**Correspondent Address:** THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA , 94965 2810
UNITED STATES**Correspondent e-mail:** tom@thomascooklaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT	Opposition Pending	77714693	

Plaintiff(s)**Name:** Connect Public Relations, Inc.**Correspondent Address:** KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091 1909
UNITED STATES**Correspondent e-mail:** kcannon@chcpat.com , ttetzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 20, 2011	
7	ANSWER TO AMENDED NOTICE OF OPPOSITION	Jan 28, 2011	
8	MOTION TO CONSOLIDATE	Aug 26, 2011	
9	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 26, 2011	
10	CERTIFICATE OF SERVICE TO D'S MOTION TO CONSOLIDATE	Aug 31, 2011	
11	P'S OPPOSITION/RESPONSE TO MOTION	Sep 15, 2011	
12	D'S REPLY IN SUPPORT OF MOTION	Oct 17, 2011	
13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2011	
16	D'S OPPOSITION/RESPONSE TO MOTION	Dec 19, 2011	
17	COPY OF #16	Dec 30, 2011	
18	P'S REPLY IN SUPPORT OF MOTION	Jan 09, 2012	
19	P'S MOTION TO STRIKE	Jan 09, 2012	
20	D'S OPPOSITION/RESPONSE TO MOTION	Jan 30, 2012	
21	D'S OPPOSITION/RESPONSE TO MOTION	Feb 16, 2012	

22	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 23, 2012	
23	P'S OPPOSITION/RESPONSE TO MOTION	Mar 09, 2012	
24	D'S REPLY IN SUPPORT OF MOTION	Mar 20, 2012	
25	BOARD'S ORDER DEFENDANT ALLOWED 20 DAYS TO RESPOND	Sep 11, 2012	
26	D'S RESPONSE TO BOARD ORDER/INQUIRY	Oct 01, 2012	
27	PROCEEDINGS RESUMED	Mar 21, 2013	
28	D OPP/RESP TO MOTION	May 07, 2013	
29	P REPLY IN SUPPORT OF MOTION	May 28, 2013	
30	PROCEEDINGS RESUMED	Aug 14, 2013	
31	P MOT FOR SUMMARY JUDGMENT	Apr 29, 2014	
32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	
33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	
35	P OPP/RESP TO MOTION	Jun 11, 2014	
36	D REPLY IN SUPPORT OF MOTION	Jul 21, 2014	
37	P MOT TO STRIKE	Sep 15, 2014	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	
40	P REPLY IN SUPPORT OF MOTION	Nov 05, 2014	
41	P MOT FOR SUMMARY JGT GRANTED IN PART	Feb 27, 2015	
42	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015	
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015	
45	SUSPENDED	May 22, 2015	
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016	
47	P OPP/RESP TO MOTION	Feb 11, 2016	
48	D REPLY IN SUPPORT OF MOTION	Feb 26, 2016	
49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016	
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016	
51	PROCEEDINGS RESUMED	Apr 29, 2016	
52	STIP FOR EXT	Jun 16, 2016	
53	EXTENSION OF TIME GRANTED	Jul 26, 2016	
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016	
55	EXTENSION OF TIME GRANTED	Sep 28, 2016	
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016	
57	EXTENSION OF TIME GRANTED	Oct 24, 2016	

EXHIBIT 9

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, and 50

Reg. No. 3,330,353

United States Patent and Trademark Office

Registered Nov. 6, 2007

**TRADEMARK
PRINCIPAL REGISTER**

CONNECTPR

CONNECT PUBLIC RELATIONS, INC. (UTAH
CORPORATION)
80 EAST 100 NORTH
PROVO, UT 84606

MOTION MATERIALS, AND SEMINAR CREATION
AND OPERATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23,
29, 37, 38 AND 50).

FOR: PRINTED PUBLICATIONS, NAMELY, RE-
PORTS, BROCHURES AND PRESS KITS COM-
PRISED OF BROCHURES, FLYERS, AND PRESS
RELEASES, IN THE FIELDS OF MARKET RE-
SEARCH AND CONSULTING, PUBLIC AND MED-
IA RELATIONS, SALES PROMOTION, STRATEGIC
MARKETING PLANNING, DEVELOPMENT OF
MARKET POSITIONING AND MESSAGING, BACK-
GROUND EDITORIAL SUPPORT OF SALES PRO-

FIRST USE 1-0-2006; IN COMMERCE 1-0-2006.

OWNER OF U.S. REG. NOS. 2,365,074, 2,366,850,
AND 2,383,777.

SN 78-169,520, FILED 9-30-2002.

CAROLINE WOOD, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2016-10-28 14:41:41 EDT

Mark: CONNECTPR

US Serial Number: 78169520

Application Filing Date: Sep. 30, 2002

US Registration Number: 3330353

Registration Date: Nov. 06, 2007

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Nov. 20, 2013

Publication Date: Feb. 10, 2004

Notice of Allowance Date: May 04, 2004

Mark Information

Mark Literal Elements: CONNECTPR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US Registrations: 2365074, 2366850, 2383777

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Printed publications, namely, [reports,] brochures [and press kits] comprised of brochures, [flyers,] and press releases, in the fields of market research and consulting, public and media relations, sales promotion, strategic marketing planning, development of market positioning and messaging, background editorial support of sales promotion materials, and seminar creation and operation

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 2006

Use in Commerce: Jan. 2006

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Connect Public Relations, Inc.

Owner Address: 80 East 100 North
Provo, UTAH 84606
UNITED STATES

Legal Entity Type: CORPORATION

State or Country UTAH
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Karl R. Cannon

Docket Number: T6708.TM.A

Correspondent

Correspondent Name/Address: Karl R. Cannon
CLAYTON, HOWARTH & CANNON, PC
P O BOX 1909
SANDY, UTAH 84091-1909
UNITED STATES

Phone: (801) 255-5335

Fax: (801) 255-5338

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 20, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Nov. 20, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	64591
Nov. 06, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	64591
Nov. 20, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
Nov. 06, 2013	TEAS SECTION 8 & 15 RECEIVED	
Nov. 06, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 02, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Oct. 02, 2007	ASSIGNED TO LIE	67287
Aug. 31, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 16, 2007	STATEMENT OF USE PROCESSING COMPLETE	74215
May 04, 2007	USE AMENDMENT FILED	74215
May 04, 2007	TEAS STATEMENT OF USE RECEIVED	
Nov. 04, 2006	EXTENSION 5 GRANTED	68973
Nov. 04, 2006	EXTENSION 5 FILED	68973
Nov. 06, 2006	TEAS EXTENSION RECEIVED	
May 16, 2006	EXTENSION 4 GRANTED	65362
May 04, 2006	EXTENSION 4 FILED	65362
May 04, 2006	TEAS EXTENSION RECEIVED	
Apr. 06, 2006	EXTENSION 3 GRANTED	65362
Nov. 04, 2005	EXTENSION 3 FILED	65362
Nov. 04, 2005	TEAS EXTENSION RECEIVED	
May 23, 2005	EXTENSION 2 GRANTED	64657
May 04, 2005	EXTENSION 2 FILED	64657
May 04, 2005	TEAS EXTENSION RECEIVED	
Nov. 16, 2004	EXTENSION 1 GRANTED	70991
Nov. 04, 2004	EXTENSION 1 FILED	70991
Nov. 04, 2004	TEAS EXTENSION RECEIVED	
May 04, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	

Feb. 10, 2004 PUBLISHED FOR OPPOSITION
Jan. 21, 2004 NOTICE OF PUBLICATION
Dec. 04, 2003 APPROVED FOR PUB - PRINCIPAL REGISTER
Oct. 01, 2003 CORRESPONDENCE RECEIVED IN LAW OFFICE
Oct. 06, 2003 CORRESPONDENCE RECEIVED IN LAW OFFICE
Nov. 05, 2003 CASE FILE IN TICRS
Oct. 06, 2003 PAPER RECEIVED
Apr. 01, 2003 NON-FINAL ACTION E-MAILED
Mar. 21, 2003 ASSIGNED TO EXAMINER

74309

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None File Location

Current Location: TMO LAW OFFICE 110

Date in Location: Nov. 20, 2013

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91200184](#)

Filing Date: Jun 08, 2011

Status: Terminated

Status Date: Aug 27, 2012

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: Fireman's Fund Insurance Company

Correspondent Address: MINA I HAMILTON
LEWIS BRISBOIS BISGAARD & SMITH LLP
221 NORTH FIGUEROA STREET, SUITE 1200
LOS ANGELES CA , 90012
UNITED STATES

Correspondent e-mail: hamilton@lbbslaw.com , tespinoza@lbbslaw.com , makous@lbbslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT2MARKETING	Abandoned - Failure to Respond	85114558	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CONNOR
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091-1909
UNITED STATES

Correspondent e-mail: docketclerk@chcpat.com , kcannon@chcpat.com , klamont@chcpat.com , bdavis@chcpat.com , jallen@chcpat.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT MARKETING	Registered	85061230	4584664

CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061232	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061227	
CONNECT MARKETING	Abandoned - No Statement Of Use Filed	85061221	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061210	
CONNECT MARKETING	Report Completed Suspension Check - Case Still Suspended	85061206	
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 08, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 09, 2011	Jul 19, 2011
3	PENDING, INSTITUTED	Jun 09, 2011	
4	ANSWER	Jul 19, 2011	
5	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Jul 19, 2011	
6	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Feb 15, 2012	
7	BOARD'S ORDER	Feb 21, 2012	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	May 11, 2012	
9	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	May 11, 2012	
10	PLAINTIFF'S NOTICE OF RELIANCE	May 14, 2012	
11	SUSPENDED	May 16, 2012	
12	STIPULATION TO AMEND APPLICATION	Aug 22, 2012	
13	BD'S DECISION: DISMISSED W/ PREJUDICE	Aug 27, 2012	
14	TERMINATED	Aug 27, 2012	

Type of Proceeding: Opposition

Proceeding Number: [91196299](#)

Filing Date: Aug 30, 2010

Status: Pending

Status Date: Aug 30, 2010

Interlocutory Attorney: GEOFFREY MCNUTT

Defendant

Name: Digitalmojo, Inc.

Correspondent Address: THOMAS W COOK
3030 BRIDGEWAY, SUITE 425 430
SAUSALITO CA , 94965 2810
UNITED STATES

Correspondent e-mail: tom@thomascooklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
CONNECT	Opposition Pending	77714693	

Plaintiff(s)

Name: Connect Public Relations, Inc.

Correspondent Address: KARL R CANNON
CLAYTON HOWARTH & CANNON PC
PO BOX 1909
SANDY UT , 84091 1909
UNITED STATES

Correspondent e-mail: kcannon@chcpat.com , ttetzl@chcpat.com , docketclerk@chcpat.com , bdavis@chcpat.com , docketclerk@chcpat.com , rgillan@chcpat.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
CONNECT PUBLIC RELATIONS	Renewed	75456522	2362916
CONNECT PUBLIC RELATIONS	Cancellation Terminated - See TTAB Records	75456519	2373504
CONNECT PUBLIC RELATIONS	Renewed	75456523	2373505
CONNECT PUBLIC RELATIONS	Renewed	75456520	2383778
CONNECTPR	Renewed	75456495	2365074
CONNECTPR	Cancellation Pending	75456494	2366850
CONNECTPR	Renewed	75456498	2383777
CONNECTPR	Renewed	75456497	2713692
CONNECTPR	Section 8 and 15 - Accepted and Acknowledged	78169520	3330353

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Aug 30, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Aug 31, 2010	Oct 10, 2010
3	PENDING, INSTITUTED	Aug 31, 2010	
4	ANSWER	Sep 20, 2010	
5	P'S MOTION TO AMEND PLEADING/AMENDED PLEADING	Nov 19, 2010	
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13	P'S MOTION FOR SUMMARY JUDGMENT	Oct 26, 2011	
14	WITHDRAWAL OF #13; CORRECTED MOTION FOR PARTIAL SUMMARY JUDGMENT	Oct 28, 2011	
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32	INADVERTENTLY ISSUED NOA FORWARDED TO BE CANCELLED	May 02, 2014	
33	SUSP PEND DISP OF OUTSTNDNG MOT	May 09, 2014	
34	MOT FOR DISCOVERY AFTER MSJ - FRCP 56	May 22, 2014	
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37	P MOT TO STRIKE	Sep 15, 2014	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 16, 2014	Oct 16, 2014
39	D OPP/RESP TO MOTION	Oct 16, 2014	
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43	D MOT TO COMPEL DISCOVERY	Mar 12, 2015
44	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Apr 01, 2015
45	SUSPENDED	May 22, 2015
46	SUSP PEND DISP OF OUTSTNDNG MOT	Jan 22, 2016
47	P OPP/RESP TO MOTION	Feb 11, 2016
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49	D RESP TO BD ORDER/INQUIRY	Apr 26, 2016
50	P RESP TO BD ORDER/INQUIRY	Apr 27, 2016
51	PROCEEDINGS RESUMED	Apr 29, 2016
52	STIP FOR EXT	Jun 16, 2016
53	EXTENSION OF TIME GRANTED	Jul 26, 2016
54	D MOT FOR EXT W/ CONSENT	Sep 24, 2016
55	EXTENSION OF TIME GRANTED	Sep 28, 2016
56	P MOT FOR EXT W/ CONSENT	Oct 19, 2016
57	EXTENSION OF TIME GRANTED	Oct 24, 2016

EXHIBIT 10

KARL R. CANNON (Registration No. 36,468)
BRETT J. DAVIS (Registration No. 46,655)
CLAYTON, HOWARTH & CANNON, P.C.
6965 Union Park Center, Suite 400
Cottonwood Heights, Utah 84047
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Connect Public Relations, Inc.

Opposed Mark: CONNECT
U.S. Trademark Application Serial Number: 77/714,693
Published: March 2, 2010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CONNECT PUBLIC RELATIONS, INC., a Utah)	
corporation,)	
)	
Opposer)	OPPOSER'S FIRST SET OF
)	REQUESTS FOR ADMISSIONS
v.)	NOS. 1-76
)	
DIGITALMOJO, INC., a California corporation,)	Opposition No. 91196299
)	
Applicant.)	

OPPOSERS'S FIRST SET OF REQUESTS FOR ADMISSIONS NOS. 1-76

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Opposer Connect Public Relations, Inc. (hereinafter referred to as "Opposer"), hereby requests that Applicant Digitalmojo, Inc. (hereinafter referred to as "Applicant"), respond to the following requests for admission within thirty (30) days after service hereof.

DEFINITIONS

The definitions set forth in OPPOSER'S FIRST SET OF INTERROGATORIES are adopted and incorporated by reference as if fully set forth herein.

REQUESTS

REQUEST FOR ADMISSION NO.1. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,362,916.

REQUEST FOR ADMISSION NO.2. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No.2,373,504.

REQUEST FOR ADMISSION NO.3. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,373,505.

REQUEST FOR ADMISSION NO.4. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,383,778.

REQUEST FOR ADMISSION NO.5. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,365,074.

REQUEST FOR ADMISSION NO.6. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,366,850.

REQUEST FOR ADMISSION NO.7. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,383,777.

REQUEST FOR ADMISSION NO.8. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,713,692.

REQUEST FOR ADMISSION NO.9. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 3,330,353.

REQUEST FOR ADMISSION NO.10. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of Opposer.

REQUEST FOR ADMISSION NO.11. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of Opposer's website located at www.connectpr.com.

REQUEST FOR ADMISSION NO.12. Admit that prior to Applicant's selection of Applicant's Mark, Applicant visited Opposer's website at www.connectpr.com.

REQUEST FOR ADMISSION NO.13. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No. 2,362,916.

REQUEST FOR ADMISSION NO.14. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No.2,373,504.

REQUEST FOR ADMISSION NO.15. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No. 2,373,505.

REQUEST FOR ADMISSION NO.16. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No. 2,383,778.

REQUEST FOR ADMISSION NO.17. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No. 2,365,074.

REQUEST FOR ADMISSION NO.18. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No. 2,366,850.

REQUEST FOR ADMISSION NO.19. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No. 2,383,777.

REQUEST FOR ADMISSION NO.20. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No. 2,713,692.

REQUEST FOR ADMISSION NO.21. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of U.S. Trademark Registration No. 3,330,353.

REQUEST FOR ADMISSION NO.22. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of Opposer.

REQUEST FOR ADMISSION NO.23. Admit that prior to the filing of the opposed application, Applicant had actual knowledge of Opposer's website located at www.connectpr.com.

REQUEST FOR ADMISSION NO.24. Admit that prior to the filing of the opposed application, Applicant visited Opposer's website at www.connectpr.com.

REQUEST FOR ADMISSION NO.25. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,362,916.

REQUEST FOR ADMISSION NO.26. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No.2,373,504.

REQUEST FOR ADMISSION NO.27. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,373,505.

REQUEST FOR ADMISSION NO.28. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,383,778.

REQUEST FOR ADMISSION NO.29. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,365,074.

REQUEST FOR ADMISSION NO.30. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,366,850.

REQUEST FOR ADMISSION NO.31. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,383,777.

REQUEST FOR ADMISSION NO.32. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,713,692.

REQUEST FOR ADMISSION NO.33. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S. Trademark Registration No. 3,330,353.

REQUEST FOR ADMISSION NO.34. Admit that prior to using the opposed mark, Applicant had actual knowledge of Opposer.

REQUEST FOR ADMISSION NO.35. Admit that prior to using the opposed mark, Applicant had actual knowledge of Opposer's website located at www.connectpr.com.

REQUEST FOR ADMISSION NO.36. Admit that prior to using the opposed mark, Applicant visited Opposer's website at www.connectpr.com.

REQUEST FOR ADMISSION NO.37. Admit that Applicant has used the opposed mark.

REQUEST FOR ADMISSION NO.38. Admit that Applicant owns the digitalmojo.com domain name.

REQUEST FOR ADMISSION NO.39. Admit that a related company of Applicant owns the digitalmojo.com domain name.

REQUEST FOR ADMISSION NO.40. Admit that Applicant controls the content on the website found at www.digitalmojo.com.

REQUEST FOR ADMISSION NO.41. Admit that Applicant operates the website found at www.digitalmojo.com.

REQUEST FOR ADMISSION NO.42. Admit that Applicant uses the opposed mark on the website found at www.digitalmojo.com.

REQUEST FOR ADMISSION NO.43. Admit that Applicant offers, or has offered, to market the goods or services of others.

REQUEST FOR ADMISSION NO.44. Admit that Applicant offers, or has offered, to advertise the goods or services of others.

REQUEST FOR ADMISSION NO.45. Admit that Applicant offers, or has offered, to promote the goods or services of others.

REQUEST FOR ADMISSION NO.46. Admit that Applicant offers, or has offered, to sale the goods or services of others.

REQUEST FOR ADMISSION NO.47. Admit that Applicant offers, or has offered, to conduct market research for others.

REQUEST FOR ADMISSION NO.48. Admit that Applicant offers, or has offered, reports.

REQUEST FOR ADMISSION NO.49. Admit that Applicant offers, or has offered, press kits.

REQUEST FOR ADMISSION NO.50. Admit that Applicant offers, or has offered, brochures.

REQUEST FOR ADMISSION NO.51. Admit that Applicant offers, or has offered, flyers.

REQUEST FOR ADMISSION NO.52. Admit that Applicant offers, or has offered, press releases.

REQUEST FOR ADMISSION NO.53. Admit that Applicant offers, or has offered, to perform public relations for others.

REQUEST FOR ADMISSION NO.54. Admit that Applicant offers, or has offered, to perform media relations for others.

REQUEST FOR ADMISSION NO.55. Admit that Applicant offers, or has offered, to perform sales promotion for others.

REQUEST FOR ADMISSION NO.56. Admit that Applicant offers, or has offered, prerecorded audio recordings.

REQUEST FOR ADMISSION NO.57. Admit that Applicant offers, or has offered, prerecorded video recordings.

REQUEST FOR ADMISSION NO.58. Admit that Applicant offers, or has offered, computer discs and CD-ROMS.

REQUEST FOR ADMISSION NO.59. Admit that Applicant offers, or has offered, prerecorded audio-visual recordings.

REQUEST FOR ADMISSION NO.60. Admit that Applicant offers, or has offered, electronic publications.

REQUEST FOR ADMISSION NO.61. Admit that Applicant offers, or has offered, to deliver messages by electronic transmission for others.

REQUEST FOR ADMISSION NO.62. Admit that Applicant offers, or has offered, to deliver advertisements by electronic transmission.

REQUEST FOR ADMISSION NO.63. Admit that Applicant offers, or has offered, strategic marketing planning for others.

REQUEST FOR ADMISSION NO.64. Admit that Applicant offers, or has offered, development of market positioning and messaging for others.

REQUEST FOR ADMISSION NO.65. Admit that Applicant offers, or has offered, editorial support for sales promotion material for others.

REQUEST FOR ADMISSION NO.66. Admit that the mark of U.S. Trademark Registration No. 2,362,916 is incontestable.

REQUEST FOR ADMISSION NO.67. Admit that the mark of U.S. Trademark Registration No. 2,373,504 is incontestable.

REQUEST FOR ADMISSION NO.68. Admit that the mark of U.S. Trademark Registration No. 2,373,505 is incontestable.

REQUEST FOR ADMISSION NO.69. Admit that the mark of U.S. Trademark Registration No. 2,383,778 is incontestable.

REQUEST FOR ADMISSION NO.70. Admit that the mark of U.S. Trademark Registration No. 2,365,074 is incontestable.

REQUEST FOR ADMISSION NO.71. Admit that the mark of U.S. Trademark Registration No. 2,366,850 is incontestable.

REQUEST FOR ADMISSION NO.72. Admit that the mark of U.S. Trademark Registration No. 2,383,777 is incontestable.

REQUEST FOR ADMISSION NO.73. Admit that the mark of U.S. Trademark Registration No. 2,713,692 is incontestable.

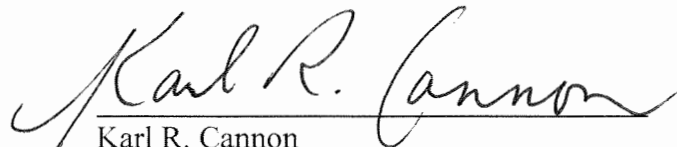
REQUEST FOR ADMISSION NO.74. Admit that all documents produced by Applicant in response to Opposer's First Request for Production in this proceeding are genuine pursuant to the Federal Rules of Evidence.

REQUEST FOR ADMISSION NO.75. Admit that all documents produced by Applicant in response to Opposer's First Request for Production in this proceeding are part of the business records of Applicant kept in the normal course of business.

REQUEST FOR ADMISSION NO.76. Admit that all documents produced by Applicant in response to Opposer's First Request for Production in this proceeding are admissible as evidence in this proceeding under the Federal Rules of Evidence, subject to any objections of Applicant on the grounds of relevance.

Please take notice that answers to the foregoing requests for admission must be served upon the undersigned within the time prescribed or they will be deemed admitted. Further, pursuant to FRCP 26(e)(1), Applicant is required to supplement or correct its disclosure or responses in a timely manner.

SERVED this 14 day of January, 2011.


Karl R. Cannon
Brett J. Davis

CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Opposer
Connect Public Relations, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **OPPOSER'S**
FIRST SET OF REQUEST FOR ADMISSIONS NOS. 1-76 to be served, via first class mail,
postage prepaid, on this 14 day of January, 2011, to:

Thomas W. Cook, Esq.
Thomas Cook Intellectual Property Attorneys
3030 Bridgeway, Suite 425-430
Sausalito, California 94965-2810



EXHIBIT 11

KARL R. CANNON (Registration No. 36,468)
BRETT J. DAVIS (Registration No. 46,655)
CLAYTON, HOWARTH & CANNON, P.C.
6965 Union Park Center, Suite 400
Cottonwood Heights, Utah 84047
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Connect Public Relations, Inc.

Opposed Mark: CONNECT

U.S. Trademark Application Serial Number: 77/714,693

Published: March 2, 2010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CONNECT PUBLIC RELATIONS, INC., a Utah
corporation,

Opposer

v.

DIGITALMOJO, INC., a California corporation,

Applicant.

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**OPPOSER'S SECOND SET OF
REQUESTS FOR ADMISSIONS**

Opposition No. 91196299

OPPOSERS'S SECOND SET OF REQUESTS FOR ADMISSIONS

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Opposer Connect Public Relations, Inc. (hereinafter referred to as "Opposer"), hereby requests that Applicant Digitalmojo, Inc. (hereinafter referred to as "Applicant"), respond to the following requests for admission within thirty (30) days after service hereof.

DEFINITIONS

The definitions set forth in OPPOSER'S FIRST SET OF INTERROGATORIES are adopted and incorporated by reference as if fully set forth herein.

REQUESTS

REQUEST FOR ADMISSION NO.1. Admit that the mark in U.S. Registration No. 2,362,916 is not generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.2. Admit that the mark in U.S. Registration No. 2,373,504 is not generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.3. Admit that the mark in U.S. Registration No. 2,373,505 is not generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.4. Admit that the mark in U.S. Registration No. 2,383,778 is not generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.5. Admit that the mark in U.S. Registration No. 2,365,074 is not generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.6. Admit that the mark in U.S. Registration No. 2,366,850 is not generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.7. Admit that the mark in U.S. Registration No. is not 2,383,777 generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.8. Admit that the mark in U.S. Registration No. 2,713,692 is not generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.9. Admit that the mark in U.S. Registration No. 3,330,353 is not generic for the enumerated goods/services.

REQUEST FOR ADMISSION NO.10. Admit that services provided to businesses may be related to services provided to consumers.

REQUEST FOR ADMISSION NO.11. Admit marks used to provide services to businesses may be confusingly similar to marks used to provide services to consumers, if the services so provided to businesses are unrelated to the services so provided to consumers.

REQUEST FOR ADMISSION NO.12. Admit that Applicant contends that the word “connect” describes a quality, characteristic, function, feature, purpose, or use of at least one of Applicant’s goods.

REQUEST FOR ADMISSION NO.13. Admit that Applicant contends that the word “connect” describes a quality, characteristic, function, feature, purpose, or use of at least one of Applicant’s services.

REQUEST FOR ADMISSION NO.14. Admit that businesses and consumers may be part of the same market.

REQUEST FOR ADMISSION NO.15. Admit that Applicant provides services to businesses.

REQUEST FOR ADMISSION NO.16. Admit that Applicant provides some of its services only to other businesses.

REQUEST FOR ADMISSION NO.17. Admit that Applicant contends that Applicant’s Mark is merely descriptive.

REQUEST FOR ADMISSION NO.18. Admit that Applicant contends that Applicant’s Mark is generic.

REQUEST FOR ADMISSION NO.19. Admit that Applicant contends that Opposer’s Mark is generic.

REQUEST FOR ADMISSION NO.20. Admit that business marketing services may be a service provided to businesses.

REQUEST FOR ADMISSION NO.21. Admit that comparative marketing services may be a service provided to businesses.

REQUEST FOR ADMISSION NO.22. Admit that advertising services may be a service provided to businesses.

REQUEST FOR ADMISSION NO.23. Admit that marketing services may be a service provided to businesses.

REQUEST FOR ADMISSION NO.24. Admit that information distribution services may be a service provided to businesses.

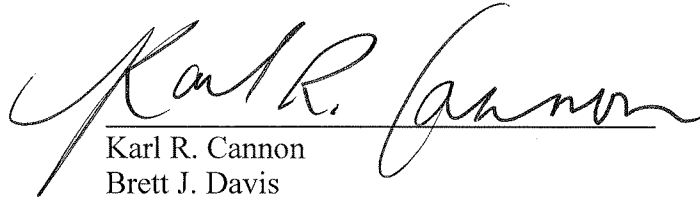
REQUEST FOR ADMISSION NO.25. Admit that promoting the goods of others may be a service provided to businesses.

REQUEST FOR ADMISSION NO.26. Admit that promoting the services of others may be a service provided to businesses.

REQUEST FOR ADMISSION NO.27. Admit that Opposer's Marks are famous within the meaning of 15 U.S.C. § 1125.

Please take notice that answers to the foregoing requests for admission must be served upon the undersigned within the time prescribed or they will be deemed admitted. Further, pursuant to FRCP 26(e)(1), Applicant is required to supplement or correct its disclosure or responses in a timely manner.

SERVED this 28 day of April, 2011.



Karl R. Cannon
Brett J. Davis

CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Opposer
Connect Public Relations, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **OPPOSER'S**
SECOND SET OF REQUEST FOR ADMISSIONS to be served, via first class mail, postage
prepaid, on this 28 day of April, 2011, to:

Thomas W. Cook, Esq.
Thomas Cook Intellectual Property Attorneys
3030 Bridgeway, Suite 425-430
Sausalito, California 94965-2810

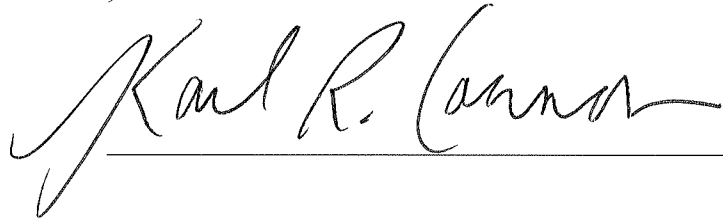


EXHIBIT 12

KARL R. CANNON (Registration No. 36,468)
BRETT J. DAVIS (Registration No. 46,655)
CLAYTON, HOWARTH & CANNON, P.C.
6985 Union Park Center, Suite 200
Cottonwood Heights, Utah 84047
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Connect Public Relations, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CONNECT PUBLIC RELATIONS, INC., a Utah
corporation,

Opposer

v.

DIGITALMOJO, INC., a California corporation,

Applicant.

**OPPOSER'S THIRD SET OF
REQUESTS FOR ADMISSIONS**

Opposition No. 91196299
Cancellation No. 92054395
Cancellation No. 92054427

OPPOSERS'S THIRD SET OF REQUESTS FOR ADMISSIONS

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Opposer Connect Public Relations, Inc. (hereinafter referred to as "Opposer"), hereby requests that Applicant Digitalmojo, Inc. (hereinafter referred to as "Applicant"), respond to the following requests for admission within thirty (30) days after service hereof.

DEFINITIONS

The definitions set forth in OPPOSER'S FIRST SET OF INTERROGATORIES served for the opposition proceeding are adopted and incorporated by reference as if fully set forth herein.

REQUESTS

REQUEST FOR ADMISSION NO.1. Admit that the specimens of the Opposer's website appended to Applicant's Second Amended Petition to Cancel, and attached hereto as Exhibit A, are genuine.

REQUEST FOR ADMISSION NO.2. Admit that the specimens of the Opposer's website appended to Applicant's Second Amended Petition to Cancel, and attached hereto as Exhibit A, includes the following statement: "We are expanding our brand. Today, Connect Public Relations® becomes Connect MarketingSM. Don't think of this as a 'switch,' but rather as an 'expansion.'"

REQUEST FOR ADMISSION NO.3. Admit that the specimens of the Opposer's website appended to Applicant's Second Amended Petition to Cancel, and attached hereto as Exhibit A, includes the following statement:

So, welcome to Connect MarketingSM. There are four parts of our new brand: Connect StrategicSM is where we help our clients build effective messaging as well as conduct primary research (focus groups and surveys.) Connect Public Relations® is the continuation of the traditional PR activities we've pursued for 22 years. It is still our core. Connect SocialSM is where we focus on all things Web 2.0 – social media, social networking, social content and social reference. And Connect StudiosSM is where we build meaningful, exciting, fun content– infographs, websites, videos and so on.

REQUEST FOR ADMISSION NO.4. Admit that the specimens of the Opposer's website appended to Applicant's Second Amended Petition to Cancel, and attached hereto as Exhibit A, includes the following graphic:



REQUEST FOR ADMISSION NO.5. Admit that the specimens of the Opposer's website appended to Applicant's Second Amended Petition to Cancel, and attached hereto as Exhibit A, includes the following graphic that comprises one of the marks that Applicant contends is abandoned, namely, Connect Public Relations®:



REQUEST FOR ADMISSION NO.6. Admit that the specimens of the Opposer's website appended to Applicant's Second Amended Petition to Cancel, and attached hereto as Exhibit A, includes the following graphic that constitutes use in commerce by Opposer of the Connect Public Relations® mark:



REQUEST FOR ADMISSION NO.7. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that displays the Connect Public Relations® mark.

REQUEST FOR ADMISSION NO.8. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that displays the following text:

Do traditional media even matter anymore? According to our recent Media Affinity Study - absolutely. Traditional media such as technology press, business press and vertical press are one of the five key ways IT buyers learn about new technology and research products.

Connect Public Relations has been working to get our clients stories told by traditional media since 1989. Today we secure more than 25,000 articles each year in the form of news stories, product reviews, contributed articles, thought leadership stories and so on.

Whether it is working with editors, coordinating analysts or even placing your spokespeople at speaking events, Connect Public Relations can help.

REQUEST FOR ADMISSION NO.9. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp> that displays the following text:

Do traditional media even matter anymore? According to our recent Media Affinity Study - absolutely. Traditional media such as technology press, business press and vertical press are one of the five key ways IT buyers learn about new technology and research products.

Connect Public Relations has been working to get our clients stories told by traditional media since 1989. Today we secure more than 25,000 articles each year in the form of news stories, product reviews, contributed articles, thought leadership stories and so on.

Whether it is working with editors, coordinating analysts or even placing your spokes people at speaking events, Connect Public Relations can help.

REQUEST FOR ADMISSION NO.10. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that displays Opposer's Connect Public Relations® mark in such a manner that constitutes use in commerce by Opposer of its Connect Public Relations® mark.

REQUEST FOR ADMISSION NO.11. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that displays the following text after clicking on the "Media Relations" link:

Do traditional media - magazines, newspapers, broadcast and so on - still matter? After all, social media has become very important very quickly. However, according to our Media Affinity Study, traditional media are still in the top five in terms of how buyers learn about new products and services. It makes sense

because traditional media have a very broad reach and provide a level of credibility and reliability that social media cannot yet match.

Outreach to traditional media builds brand awareness, establishes thought leadership and communicates news about products and services. Taken as a whole, these efforts provide a high level of visibility for your company.

Connect Public Relations® can help. We have deep experience and relationships with the media contacts that matter. We know what they want, and need, and use that to secure more than 25,000 placements for our clients, from news stories to in-depth reviews and profiles.

For example, ConnectSM has helped Symantec establish its Internet Security Threat Report (ISTR) as the industry's premier report on the Internet threat landscape. In the 2013 report, with Connect's help, outreach around the ISTR resulted in thousands of articles in outlets such as Associated Press, Reuters, Wall Street Journal, Economic Times, and CIO.

REQUEST FOR ADMISSION NO.12. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that displays Opposer's ConnectPR® mark.

REQUEST FOR ADMISSION NO.13. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that displays Opposer's ConnectPR® mark in such a manner to constitute use in commerce.

REQUEST FOR ADMISSION NO.14. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/about.asp>, that displays the following text:

Connect Public Relations offers traditional PR services, including press releases and media and analyst relations.

REQUEST FOR ADMISSION NO.15. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/about.asp>, that

uses the Connect Public Relations® mark in such a manner that constitutes use of the mark in commerce.

REQUEST FOR ADMISSION NO.16. Admit that the Opposer's current website, <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/services.asp>, that displays the following text:

SERVICES

Connect Public Relations® and Connect PR® provide the following services:

- Communications services, namely, delivery of messages by electronic transmission;
- Marketing, namely, business marketing services; market research and marketing consulting services; public and media relations services; sales promotion services; marketing consultation services in the fields of computer hardware and software; marketing consultation services in the field of computer networks; marketing services, namely, designing online marketing programs for social networking websites and business networking website;
- Marketing and market research and consulting services; public and media relations services and sales promotion services.

REQUEST FOR ADMISSION NO.17. Admit that the text referred to in Request For Admission No. 16, on the webpage, <http://connectmarketing.com/services.asp>, constitutes a use in commerce of the marks Connect Public Relations® and Connect PR®.

REQUEST FOR ADMISSION NO.18. Admit that Opposer has not abandoned its Connect Public Relations® mark.

REQUEST FOR ADMISSION NO.19. Admit that Opposer is still using its Connect Public Relations® mark in commerce.

REQUEST FOR ADMISSION NO.20. Admit that Opposer has not abandoned its ConnectPR® mark.

REQUEST FOR ADMISSION NO.21. Admit that Opposer is still using its ConnectPR® mark in commerce.

REQUEST FOR ADMISSION NO.22. Admit that any alleged nonuse of the Connect Public Relations® mark was excusable.

REQUEST FOR ADMISSION NO.23. Admit that any alleged nonuse of the ConnectPR® mark was excusable.

REQUEST FOR ADMISSION NO.24. Admit that the Connect Public Relations® mark appears on Opposer's current website <http://connectmarketing.com/>.

REQUEST FOR ADMISSION NO.25. Admit that the ConnectPR® mark appears on Opposer's current website <http://connectmarketing.com/>.

Please take notice that answers to the foregoing requests for admission must be served upon the undersigned within the time prescribed or they will be deemed admitted. Further, pursuant to FRCP 26(e)(1), Applicant is required to supplement or correct its disclosure or responses in a timely manner.

SERVED this 13th day of March, 2014.



Karl R. Cannon
Brett J. Davis

CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Opposer
Connect Public Relations, Inc.

S:\CHC Files\T12--\T120--\T12092\A\Pleadings\Opposers Third Set of Requests for Admission.FINAL.wpd

EXHIBIT A

ESTTA Tracking number: **ESTTA497561**

Filing date: **10/01/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054395
Party	Plaintiff DigitalMojo, Inc.
Correspondence Address	THOMAS W COOK THOMAS COOKE INTELLECTUAL PROPERTY ATTORNEYS 3030 BRIDGEWAY, SUITE 425-430 SAUSALITY, CA 94965 UNITED STATES tom@thomascooklaw.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Thomas W Cook
Filer's e-mail	tom@thomascooklaw.com, thomascooklaw@pacbell.net
Signature	/Thomas W. Cook/
Date	10/01/2012
Attachments	2012 10 01 Second Amended Petition to Cancel - CONNECTPR No. 2,366,850 - 92054395.pdf (7 pages)(91182 bytes) Connect Public Relations - Connect Marketing-1-Home Page.pdf (1 page)(387673 bytes) Connect Public Relations - Connect Marketing-2-About Page.pdf (1 page)(280097 bytes) Connect Public Relations - Connect Marketing-3-Third Page.pdf (1 page)(409711 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of
Trademark Registration No. 2,366,850
Trademark: CONNECTPR
Registered: August 1, 2000

DIGITALMOJO, INC.,
Petitioner,

Cancellation No.
92054395
Registration No. 2,366,850

v.

CONNECT PUBLIC RELATIONS, INC.
Respondent.

SECOND AMENDED PETITION TO CANCEL

Consistent with the Order of the Board Dated September 11, 2012, Petitioner DigitalMojo, Inc. submits this Second Amended Petition to Cancel the registration set forth below within twenty days of the date of the Order (plus extension for weekend) in the Board file for the appropriate cancellation proceeding, and not in the file for the co-pending opposition proceeding between these parties.

Petitioner DigitalMojo, Inc., is a California corporation located and doing business at 8344 Clairemont Mesa Boulevard, Suite 100, San Diego, California 92111 (hereinafter "DigitalMojo" or "Petitioner").

The above-identified Petitioner, DigitalMojo, believes that it is and will be damaged by Registration No. 2,366,850, and hereby petitions to cancel the same.

Description of the Respondent's Registration:

Registration No.: 2,366,850.
Name: CONNECTPR.
From Serial No.: 75/456,494.
Filed on: March 25, 1998
Register: Principal.
Class: International class 035.
Services claimed: Marketing and market research and consulting services; public and media relations services and sales promotion services.
First use claimed: February 2000.

As grounds for cancellation, DigitalMojo alleges as follows:

1. DigitalMojo is the "owner" of U. S. trademark application serial number

77/714,693 for the word mark CONNECT. DigitalMojo's identified services are:

IC 009: Audio recordings featuring music; video recordings featuring music; downloadable audio and video recordings featuring music; prerecorded music on CD, DVD and other media

IC 035: Business marketing services in the nature of agency representation of companies marketing a variety of services to home owners and renters, namely, utility hook-ups, telecommunication services, home security services, home warranties, home and yard maintenance, furniture and appliance rental; comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services; operation of telephone call centers for others; marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers; providing an online directory information service featuring information regarding, and in the nature of, classifieds; advertising and information distribution services, namely, providing classified advertising space via the global computer network; promoting the goods and services of others over the Internet; providing online computer databases and on-line searchable databases featuring classified listings and want ads; online business networking services; providing telephone directory information via global communications networks; providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources; providing information, namely, compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources using a global computer network; providing telephone directory information via global communications networks; arranging for others the initiation and termination of telecommunication services and utility services in the nature of water, gas and electricity and consultation rendered in connection therewith

IC 038: Providing online chat rooms for registered users for transmission of messages concerning classifieds, virtual community and social networking; providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing email and instant messaging services

IC 042: Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking; computer software development; application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network; providing temporary use of non-downloadable software applications for classifieds, virtual community, social networking, photo sharing, video sharing, and transmission of photographic images; computer services, namely, hosting online web facilities for others for organizing and conducting online meetings, gatherings, and interactive discussions; computer services in the nature of customized web pages featuring user-defined information, personal profiles and information

IC 045. US 100 101. G & S: on-line social networking services; internet based dating, introduction and social networking services.

2. DigitalMojo's U. S. trademark application serial number 77/714,693 (hereinafter the "DigitalMojo Application") for the word mark CONNECT has been opposed by Connect Public Relations, Inc. (hereinafter "CPR" or "Respondent"). CPR's opposition to the DigitalMojo Application has been allocated opposition number 91196299 by the Trademark Trial & Appeal Board (hereafter the "Opposition"). The Opposition and this cancellation proceeding were consolidated by Order of the Board dated February 23, 2012, and that consolidation was confirmed by Order of the Board dated September 11, 2012.

3. In the Opposition, CPR has alleged it is a Utah corporation having a business address of 80 East 100 North, Provo, Utah 84606, and that it owns U.S. Trademark Registrations for the wordmarks CONNECT PUBLIC RELATIONS and CONNECTPR, under Reg. Nos. 2,362,916 and 2,373,504 and 2,373,505 and 2,383,778 and 2,365,074 and 2,366,850 and 2,383,777 and 2,713,692 and 3,330,353.

4. More specifically, CPR has alleged in the Opposition that it owns the registration of CONNECT PUBLIC RELATIONS under Registration No. 2,373,504, and the

registration of CONNECTPR under Registration No. 2,366,850, “used in connection with, *inter alia*, marketing and market research and consulting services; public media relations services and sales promotion services.” In Registration No. 2,373,504 and Registration No. 2,366,850, CPR has identified its services as “Marketing and market research and consulting services; public and media relations services and sales promotion services.” Petitioner will refer in this Petition to these service marks, whether CPR has identified its services as in the Opposition or in CPR’s registrations, as the “CPR Marks.” Petitioner will also refer to the services identified by CPR under the CPR Marks, whether in the Opposition or in its registrations, as “CPR Services.”

5. CPR has further alleged that its has used the CPR Marks in interstate commerce in the United States Since at least as early as the dates of first use recited in its enumerated registrations, and is currently using the CPR Marks in interstate commerce, and that it has used the CPR Marks in connection with at least the goods and services recited in its registrations for the CPR Marks long before the filing date of the DigitalMojo Application, and CPR bases the Opposition on such registrations.

6. CPR has recently filed applications to register the mark CONNECT MARKETING at the U.S. Patent & Trademark Office, which applications have received Serial Nos. 85/061,206, 85/061,210,85/061,221, 85/061,227, 85/061,230, 85/061,232. CPR’s application Serial No. 85/061,227 identifies as the services to be provided under CONNECT MARKETING the following services: “Marketing, namely, business marketing services; market research and marketing consulting services; public and media relations services; sales promotion services; marketing consultation services in the fields of computer hardware and software; marketing consultation services in the field of computer networks; marketing services, namely, designing online marketing programs for social networking websites and business networking websites” (i.e., services which include the same services CPR has identified in Registration No. 2,373,504 for CONNECT PUBLIC RELATIONS, and Registration No. 2,366,850 for CONNECTPR).

7. The DigitalMojo Application is of significant value to DigitalMojo, as the mark CONNECT will be used as an identification of source in connection with the services recited in the DigitalMojo Application, and registration is necessary to perfect DigitalMojo's rights in the mark CONNECT, and CPR has asserted rights, as set forth above, by which CPR intends to prevent registration of the mark CONNECT.

GROUND FOR CANCELLATION

8. On information and belief, DigitalMojo alleges CPR has abandoned the CPR Marks, including its mark CONNECTPR, in that CPR has ceased providing, or offering to provide, the CPR Services under the CPR Marks, including the name CONNECTPR. More specifically, CPR has changed its name to Connect Marketing, Inc., and is offering its CPR Services under the mark CONNECT MARKETING, and not the CPR Marks. In support of this allegation, Petitioner attaches to this Petition the following specimens take from the web site of CPR at the domain name <http://www.connectmarketing.com/>

- a. The "home" page at <http://www.connectmarketing.com/>, upon which appears the service mark "CONNECT MARKETING sm" (top left), the statement "Connect Public Relations[®] is now Connect Marketingsm" (right hand side in two places), and the legend "2011 Connect Marketing. sm All Rights Reserved. | Formerly Connect Public Relations[®]" (bottom of page).
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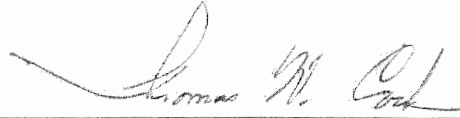
Happened to Connect Public Relations®?,” the statement “Today Connect Public Relations becomes Connect Marketingsm,” and the legend “2011 Connect Marketing.sm All Rights Reserved. | Formerly Connect Public Relations®” (bottom of page).

9. These attachments show CPR is no longer using its CPR Marks for the CPR Services, including the mark CONNECTPR, registered under U.S. Registration No. 2,366,850, and also that cessation of use of the CPR Marks was intentional. These attachments also demonstrate CPR intends not to use the CPR Marks for the CPR Services in the future, including the mark CONNECTPR for the services identified in U.S. Registration No. 2,366,850, and Petitioner so alleges CPR’s intent not to use the Mark CONNECTPR for the CPR Services in the future.

10. DigitalMojo has been and continues to be damaged by U.S. Registration No. 2,366,850, as CPR has and continues to assert U.S. Registration No. 2,366,850 as a basis upon which CPR has opposed DigitalMojo’s application for the mark CONNECT.

WHEREFORE, Petitioner, DigitalMojo, Inc., prays the Trademark Trial and Appeal Board grant its petition, and cancel U.S. Registration No. 2,366,850 for CONNECTPR in its entirety.

Date: October 1, 2012



Thomas W. Cook, Reg. No. 38,849
Attorney for Applicant
3030 Bridgeway, Suite 425-430
Sausalito, California 94965
Telephone: 415-339-8550

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this document is today being submitted via electronic filing utilizing
the ESTTA system on:

Date: October 1, 2012



Thomas W. Cook

CERTIFICATE OF SERVICE

This is to certify that on this date, a true copy of the foregoing AMENDED PETITION
TO CANCEL is being served, by U.S. mail, postage prepaid, to the attorney of the owner of
record, of U.S. Registration No. 2,366,850 at the following addresses:

Karl R. Cannon
CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909

Date: October 1, 2012



Thomas W. Cook



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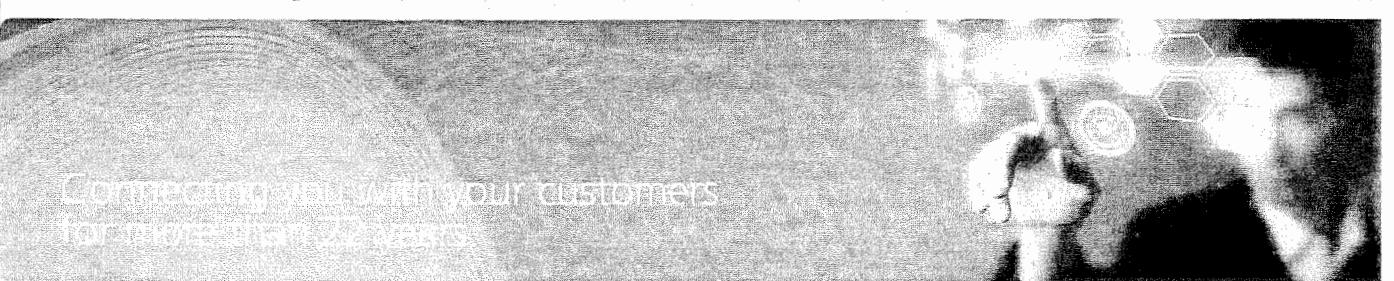
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Connect Marketing™, Inc.

One Market Street
36th Floor
San Francisco, California 94105 USA
(415) 222-9691
(800) 455-8666
info@connectmarketing.com

Provo Office:
80 E 100 N
Provo, Utah 84606 USA
(801) 373-7886

Phoenix Office:
25816 South 193 Place
Queen Creek, AZ 85142 USA

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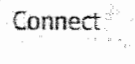
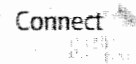
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What Happened to Connect Public Relations?



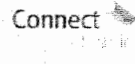
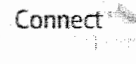
We are expanding our brand. Today, Connect Public Relations[®] becomes Connect Marketing[™]. Don't think of this as a "switch," but rather as an "expansion." Here is the story...



For 22 years we've been doing technology PR. Our goal has been to reach out to technology media and analysts to get coverage for our clients. About 5 years ago our clients started asking for more. They still wanted to reach traditional media, but wanted to include social media as well.

That drove us into new areas — blogs, forums, Facebook, Twitter and so on. But it didn't stop there. In this brave new Web 2.0 arena we also needed to build content: infographics, videos, slide shows and so on. And we needed to engage with this new media. We had to monitor blogs and forums, engage where needed, measure what was being said, etc.

One day, about two years ago, we realized PR was no longer an accurate description of what we did. It is an important part of what we do, but not the complete story. We decided Connect Marketing[™] was a more complete description.



So, welcome to Connect Marketing[™]. There are four parts of our new brand:

Connect Strategic[™] is where we help our clients build effective messaging as well as conduct primary research (focus groups and surveys). Connect Public Relations[®] is the continuation of the traditional PR activities we've pursued for 22 years. It is still our core. Connect Social[™] is where we focus on all things Web 2.0 — social media, social networking, social content and social reference. And Connect Studios[™] is where we build meaningful, exciting, fun content — infographics, websites, videos and so on.

Take a look at our new website for more details on each area. And welcome to Connect Marketing[™]!

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ESTTA Tracking number: **ESTTA497563**

Filing date: **10/01/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054427
Party	Plaintiff DigitalMojo, Inc.
Correspondence Address	THOMAS W COOK THOMAS COOK INTELLECTUAL PROPERTY ATTORNEYS 3030 BRIDGEWAY , SUITE 425 SAUSALITO, CA 94965 UNITED STATES tom@thomascooklaw.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Thomas W Cook
Filer's e-mail	tom@thomascooklaw.com, thomascooklaw@pacbell.net
Signature	/Thomas W. Cook/
Date	10/01/2012
Attachments	2012 10 01 Second Amended Petition to Cancel - CONNECT PUBLIC RELATIONS No. 2,373,504 - 92054427.pdf (7 pages)(91480 bytes) Connect Public Relations - Connect Marketing-1-Home Page.pdf (1 page)(387673 bytes) Connect Public Relations - Connect Marketing-2-About Page.pdf (1 page)(280097 bytes) Connect Public Relations - Connect Marketing-3-Third Page.pdf (1 page)(409711 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of
Trademark Registration No. 2,373,504
Trademark: CONNECT PUBLIC RELATIONS
Registered: August 1, 2000

DIGITALMOJO, INC.,
Petitioner,

Cancellation No.
92054427
Registration No. 2,373,504

v.

CONNECT PUBLIC RELATIONS, INC.
Respondent.

SECOND AMENDED PETITION TO CANCEL

Consistent with the Order of the Board Dated September 11, 2012, Petitioner DigitalMojo, Inc. submits this Second Amended Petition to Cancel the registration set forth below within twenty days of the date of the Order (plus extension for weekend) in the Board file for the appropriate cancellation proceeding, and not in the file for the co-pending opposition proceeding between these parties.

Petitioner DigitalMojo, Inc., is a California corporation located and doing business at 8344 Clairemont Mesa Boulevard, Suite 100, San Diego, California 92111 (hereinafter "DigitalMojo" or "Petitioner").

The above-identified Petitioner, DigitalMojo, believes that it is and will be damaged by Registration No. 2,373,504, and hereby petitions to cancel the same.

Description of the Respondent's Registration:

Registration No.: 2,373,504.
Name: CONNECT PUBLIC RELATIONS.
From Serial No.: 75/456,519.
Filed on: March 25, 1998
Register: Principal.
Class: International class 035.
Services claimed: Marketing and market research and consulting services; public and media relations services and sales promotion services.
First use claimed: March 1998.

As grounds for cancellation, DigitalMojo alleges as follows:

1. DigitalMojo is the "owner" of U. S. trademark application serial number 77/714,693 for the word mark CONNECT. DigitalMojo's identified services are:

IC 009: Audio recordings featuring music; video recordings featuring music; downloadable audio and video recordings featuring music; prerecorded music on CD, DVD and other media

IC 035: Business marketing services in the nature of agency representation of companies marketing a variety of services to home owners and renters, namely, utility hook-ups, telecommunication services, home security services, home warranties, home and yard maintenance, furniture and appliance rental; comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services; operation of telephone call centers for others; marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers; providing an online directory information service featuring information regarding, and in the nature of, classifieds; advertising and information distribution services, namely, providing classified advertising space via the global computer network; promoting the goods and services of others over the Internet; providing online computer databases and on-line searchable databases featuring classified listings and want ads; online business networking services; providing telephone directory information via global communications networks; providing an online interactive website obtaining users comments concerning business organizations, service providers, and other resources; providing information, namely, compilations, rankings, ratings, reviews, referrals and recommendations relating to business organizations, service providers, and other resources using a global computer network; providing telephone directory information via global communications networks; arranging for others the initiation and termination of telecommunication services and utility services in the nature of water, gas and electricity and consultation rendered in connection therewith

IC 038: Providing online chat rooms for registered users for transmission of messages concerning classifieds, virtual community and social networking; providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing email and instant messaging services

IC 042: Computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking; computer software development; application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network; providing temporary use of non-downloadable software applications for classifieds, virtual community, social networking, photo sharing, video sharing, and transmission of photographic images; computer services, namely, hosting online web facilities for others for organizing and conducting online meetings, gatherings, and interactive discussions; computer services in the nature of customized web pages featuring user-defined information, personal profiles and information

IC 045. US 100 101. G & S: on-line social networking services; internet based dating, introduction and social networking services.

2. DigitalMojo's U. S. trademark application serial number 77/714,693 (hereinafter the "DigitalMojo Application") for the word mark CONNECT has been opposed by Connect Public Relations, Inc. (hereinafter "CPR" or "Respondent"). CPR's opposition to the DigitalMojo Application has been allocated opposition number 91196299 by the Trademark Trial & Appeal Board (hereafter the "Opposition"). The Opposition and this cancellation proceeding were consolidated by Order of the Board dated February 23, 2012, and that consolidation was confirmed by Order of the Board dated September 11, 2012.

3. In the Opposition, CPR has alleged it is a Utah corporation having a business address of 80 East 100 North, Provo, Utah 84606, and that it owns U.S. Trademark Registrations for the wordmarks CONNECT PUBLIC RELATIONS and CONNECTPR, under Reg. Nos. 2,362,916 and 2,373,504 and 2,373,505 and 2,383,778 and 2,365,074 and 2,366,850 and 2,383,777 and 2,713,692 and 3,330,353.

4. More specifically, CPR has alleged in the Opposition that it owns the registration of CONNECT PUBLIC RELATIONS under Registration No. 2,373,504, and the

registration of CONNECTPR under Registration No. 2,366,850, “used in connection with, *inter alia*, marketing and market research and consulting services; public media relations services and sales promotion services.” In Registration No. 2,373,504 and Registration No. 2,366,850, CPR has identified its services as “Marketing and market research and consulting services; public and media relations services and sales promotion services.” Petitioner will refer in this Petition to these service marks, whether CPR has identified its as in the Opposition or in CPR’s registrations, as the “CPR Marks.” Petitioner will also refer to the services identified by CPR under the CPR Marks, whether in the Opposition or in its registrations, as “CPR Services.”

5. CPR has further alleged that its has used the CPR Marks in interstate commerce in the United States Since at least as early as the dates of first use recited in its enumerated registrations, and is currently using the CPR Marks in interstate commerce, and that it has used the CPR Marks in connection with at least the goods and services recited in its registrations for the CPR Marks long before the filing date of the DigitalMojo Application, and CPR bases the Opposition on such registrations.

6. CPR has recently filed applications to register the mark CONNECT MARKETING at the U.S. Patent & Trademark Office, which applications have received Serial Nos. 85/061,206, 85/061,210,85/061,221, 85/061,227, 85/061,230, 85/061,232. CPR’s application Serial No. 85/061,227 identifies as the services to be provided under CONNECT MARKETING the following services: “Marketing, namely, business marketing services; market research and marketing consulting services; public and media relations services; sales promotion services; marketing consultation services in the fields of computer hardware and software; marketing consultation services in the field of computer networks; marketing services, namely, designing online marketing programs for social networking websites and business networking websites” (i.e., services which include the same services CPR has identified in Registration No. 2,373,504 for CONNECT PUBLIC RELATIONS, and Registration No. 2,366,850 for CONNECTPR).

7. The DigitalMojo Application is of significant value to DigitalMojo, as the mark CONNECT will be used as an identification of source in connection with the services recited in the DigitalMojo Application, and registration is necessary to perfect DigitalMojo's rights in the mark CONNECT, and CPR has asserted rights, as set forth above, by which CPR intends to prevent registration of the mark CONNECT.

GROUND FOR CANCELLATION

8. On information and belief, DigitalMojo alleges CPR has abandoned the CPR Marks, including its mark CONNECT PUBLIC RELATIONS, in that CPR has ceased providing, or offering to provide, the CPR Services under the CPR Marks, including the name CONNECT PUBLIC RELATIONS. More specifically, CPR has changed its name to Connect Marketing, Inc., and is offering its CPR Services under the mark CONNECT MARKETING, and not the CPR Marks. In support of this allegation, Petitioner attaches to this Petition the following specimens take from the web site of CPR at the domain name

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9. These attachments show CPR is no longer using its CPR Marks for the CPR Services, including the mark CONNECT PUBLIC RELATIONS, registered under U.S. Registration No. 2,373,504, and also that cessation of use of the CPR Marks was intentional. These attachments also demonstrate CPR intends not to use the CPR Marks for the CPR Services in the future, including the mark CONNECT PUBLIC RELATIONS for the services identified in U.S. Registration No. 2,373,504, and Petitioner so alleges CPR's intent not to use the Mark CONNECT PUBLIC RELATIONS for the CPR Services in the future.

10. DigitalMojo has been and continues to be damaged by U.S. Registration No. 2,373,504, as CPR has and continues to assert U.S. Registration No. 2,373,504 as a basis upon which CPR has opposed DigitalMojo's application for the mark CONNECT.

WHEREFORE, Petitioner, DigitalMojo, Inc., prays the Trademark Trial and Appeal Board grant its petition, and cancel U.S. Registration No. 2,373,504 for CONNECT PUBLIC RELATIONS in its entirety.

Date: October 1, 2012

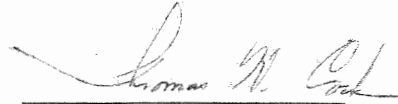


Thomas W. Cook, Reg. No. 38,849
Attorney for Applicant
3030 Bridgeway, Suite 425-430
Sausalito, California 94965
Telephone: 415-339-8550

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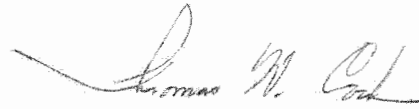
Thomas W. Cook

CERTIFICATE OF SERVICE

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owner of record, of U.S. Registration No. 2,373,504 at the following addresses:

Karl R. Cannon
CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909

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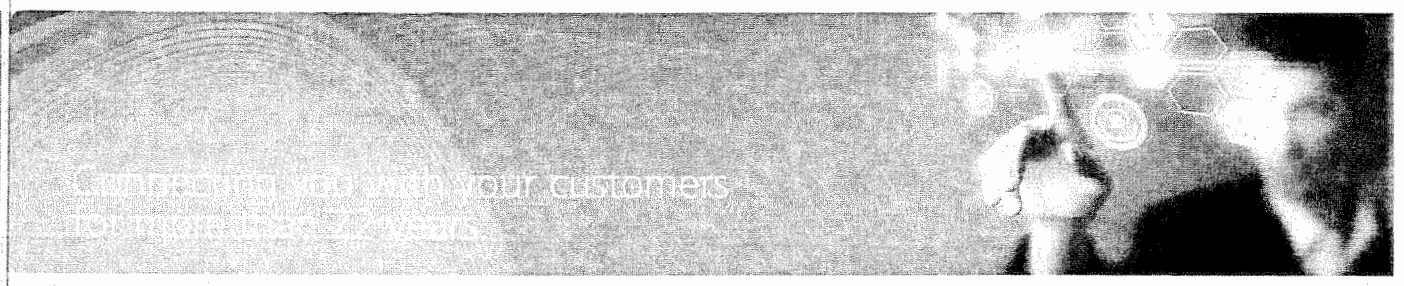
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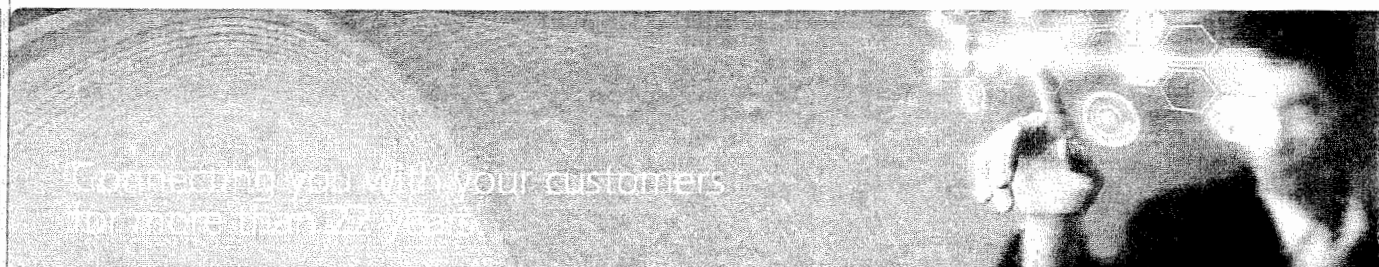
Connect MarketingSM, Inc.
One Market Street
36th Floor
San Francisco, California 94105 USA
(415) 222-9691
(800) 455-8955
info@connectmarketing.com

Provo Office:
80 E 100 N
Provo, Utah 84606 USA
(801) 575-7668

Phoenix Office:
25816 South 192 Place
Queen Creek, AZ 85142 USA

Home: What Happened to Connect Public Relations?

What Happened to Connect Public Relations?



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We are expanding our brand. Today, Connect Public Relations[®] becomes Connect Marketing[™]. Don't think of this as a 'switch,' but rather as an 'expansion.' Here is the story...

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One day, about two years ago, we realized PR was no longer an accurate description of what we did. It is an important part of what we do, but not the complete story. We decided Connect Marketing[™] was a more complete description.

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Take a look at our new website for more details on each area. And welcome to Connect Marketing[™].

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **OPPOSER'S**
THIRD SET OF REQUEST FOR ADMISSIONS to be served, via first class mail, postage
prepaid, on this 13 day of March, 2014, to:

Thomas W. Cook, Esq.
Thomas Cook Intellectual Property Attorneys
3030 Bridgeway, Suite 425-430
Sausalito, California 94965-2810

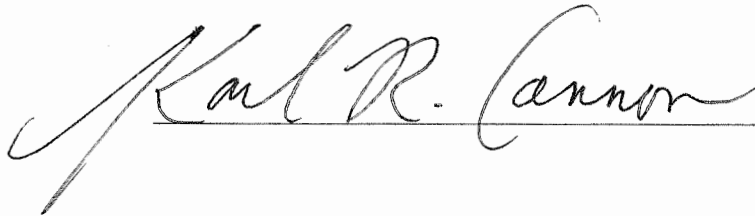


EXHIBIT 13

KARL R. CANNON (Registration No. 36,468)
BRETT J. DAVIS (Registration No. 46,655)
CLAYTON, HOWARTH & CANNON, P.C.
6965 Union Park Center, Suite 400
Cottonwood Heights, Utah 84047
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Connect Public Relations, Inc.

Opposed Mark: CONNECT
U.S. Trademark Application Serial Number: 77/714,693
Published: March 2, 2010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CONNECT PUBLIC RELATIONS, INC., a Utah
corporation,

Opposer

v.

DIGITALMOJO, INC., a California corporation,

Applicant.

**OPPOSER'S FIRST SET OF
INTERROGATORIES NOS. 1-21**

Opposition No. 91196299

OPPOSER'S FIRST SET INTERROGATORIES NOS. 1-21

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Opposer Connect Public Relations, Inc. (hereinafter referred to as "Opposer") hereby requests that Applicant Digitalmojo, Inc. (hereinafter referred to as "Applicant") answer under oath the interrogatories hereinafter propounded within thirty (30) days after service hereof.

In lieu of requested identification of written materials, Applicant may attach such materials or legible copies thereof to its answer to the interrogatory to which the requested identification pertains. If Applicant cannot provide the specific information requested in any interrogatory in full, Applicant must give the best information available to it on the subject. Should Applicant exercise its option to produce business records pursuant to Rule 33(c) of the Federal Rules of Civil Procedure, Applicant requests that such records be made available no later than ten (10) days following the day upon which a response to these interrogatories is due.

INSTRUCTIONS AND DEFINITIONS

A. “Applicant” or “you” means Digitalmojo, Inc., any successors in interest or predecessors in interest, present and former attorneys, officers, directors, agents and employees, authorized sales representatives, and any other person acting on its behalf.

B. “Opposer” shall mean and refer to Connect Public Relations, Inc., as well as officers, directors, agents and employees, authorized sales representatives, and any other person acting on its behalf.

C. “Person” means an individual, firm, partnership, corporation, association, or any other organization or entity.

D. “Trademark” shall mean either trademark, trade name or service mark, and any mark upon which Applicant or any other person asserts, or is known to assert any such right, whether alone or in combination, under the common law, intent to use registration application or any other such jurisdictional registration or application in the United States or any foreign country.

E. "Concern" or "concerning" shall mean relating to, evidencing, referring to, indicating, disclosing, discussing, analyzing, serving as a basis for, supporting, describing, or in any other way bearing upon or illuminating the subject matter into which inquiry is made.

F. "Document" or "documents" shall mean all documents and things subject to production under Rule 34 of the Federal Rules of Civil Procedure, and shall encompass all documents and things within the scope of Rule 1001 of the Federal Rules of Evidence, including electronic documents, including electronic communications, emails, etc.

G. "Identify" shall mean provide the following information with respect to the following categories of information:

1. A person:
 - a. his or her full name;
 - b. present or last known address, and phone number;
 - c. present or last known employment and position in that employment; and
 - d. if ever employed by any defendant, the dates of employment, and the positions held.
2. Any non natural person:
 - a. Its full name;
 - b. Present or last known address and telephone number; and
 - c. Present or last known relationship to defendants.
3. Document:
 - a. Date of origination, and if different, the date the document bears;
 - b. The author(s) or preparer(s) of the document;

- c. The address(es) and recipient(s) of the document;
- d. A sufficient description of the document to enable the Applicant to request its production, including the general subject matter of the document;
- e. The current custodian of the documents; and
- f. In the case of documents once, but no longer in possession, custody, or control of Applicant, but of which Applicant has knowledge; identify also includes what disposition was made of such documents, when, and by whom.

4. Product:

- a. Name;
- b. Product or inventory control number;
- c. UPC;
- d. Model name or number; and
- e. Manufacturer or assembler.

H. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of discovery information which otherwise may be construed outside its scope. As used herein, the singular shall include the plural and the plural shall include the singular, except as context may otherwise require.

I. These discovery requests are intended to be continuing requests to the full extent allowed by the Federal Rules of Civil Procedure. To the extent that you acquire or become aware of additional documents or information responsive to these requests, you are requested to supplement your responses hereto as required.

J. In the event that you assert that any information responsive to these discovery requests is privileged, please provide the following information with respect to each item of information withheld on the grounds of privilege:

1. the date of creation or communication of the document;
2. identify persons present at the time a communication occurred;
3. state the general subject matter of the communication or document;
4. identify the author of the document or communication;
5. identify each person to whom the communication or document was addressed and each person who received it;
6. identify the current custodian of the document;
7. state the grounds on which the document or communication is withheld; and
8. identify the particular discovery requests to which the withheld information is responsive.

K. "Applicant's Mark" shall mean the mark opposed by Opposer.

L. "Opposer's Marks" shall mean those marks of Opposer identified in the Notice of Opposition and the Amended Notice of Opposition.

INTERROGATORIES

INTERROGATORY NO.1. State the earliest date on which Applicant will rely in this proceeding to establish any rights in such marks vis-a-vis Opposer, and state in detail the basis for Applicant's claim of rights in said marks as of that date.

INTERROGATORY NO.2. Identify each product and/or service with which Applicant's Mark has been used, and with respect to each such product and/or service identify:

(a) the period of time during which Applicant's Mark has been used with said product and/or service (i.e., the date of Applicant's first sale of the product bearing Applicant's mark to the date of Applicant's last sale);

(b) if the use was by a person other than Applicant, identify that person, and state in detail the basis upon which Applicant claims such use inures, or will inure, to its benefit;

(c) the sales, on an annual basis, in terms of dollar volume and units, of such product and/or service from the date of first use of Applicant's mark in connection with such product and/or service, through the present;

(d) each price charged and/or to be charged by and/or paid to Applicant for such products and/or service; and

(e) each state in which such product and/or service has been sold under or in connection with Applicant's mark.

INTERROGATORY NO.3. Identify each survey, search or other investigation conducted and/or obtained with respect to any of Opposer's Marks, Applicant's Mark, the term "connect" as used as a trademark or part of a trademark.

INTERROGATORY NO.4. State the annual volume of advertising under and/or in connection with Applicant's Mark in connection with the goods and services set forth in the opposed application for each year since such advertising commenced.

INTERROGATORY NO.5. Identify each medium in which Applicant's Mark has been or is intended to be used.

INTERROGATORY NO.6. Identify all promotional activities under taken by Applicant in which the mark CONNECT, or any variation thereof, has been used in connection with the goods and services set forth in the opposed application for each year since such promotion commenced.

INTERROGATORY NO.7. For each product and service in connection with which Applicant is using or intends to use Applicant's Mark, identify, in detail, the channels of trade through which such products and/or services have been or are intended to be sold and/or rendered.

INTERROGATORY NO.8. Provide a general description of the type of customers to whom Applicant does or intends to advertise, promote, and/or sell Applicant's products and/or services in connection with Applicant's mark.

INTERROGATORY NO.9. Identify each assignment, license, consent, grant, or transfer of rights which concerns, refers or relates to Applicant's Mark and/or any rights in connection with such marks.

INTERROGATORY NO.10. Identify each person who participated in the selection, creation, and/or decision to adopt and/or to use Applicant's Mark.

INTERROGATORY NO.11. Identify all persons responsible, or that will be responsible, for advertising Applicant's Mark and/or the goods/services sold or are intended to be sold under same.

INTERROGATORY NO.12. Identify the circumstances under which (including, but not limited to, the date) Applicant first became aware of Opposer, including any of Opposer's Marks.

INTERROGATORY NO.13. Prior to the institution of the instant proceeding, did Applicant ever consider Opposer and/or Opposer's Marks with respect to and/or in connection with Applicant's Mark and/or the products sold or to be sold under Applicant's Mark or otherwise in connection with Applicant's business? If the response to this interrogatory is other than an unqualified negative, state the date of such consideration, the action considered, and identify each person involved in, and communication related to, such consideration.

INTERROGATORY NO.14. Is Applicant aware of any instance of confusion or mistake regarding it and Opposer, their respective goods, services, or businesses, and/or Applicant's Mark and Opposer's Marks?

INTERROGATORY NO.15. Identify each and every trademark or service mark of which Applicant is aware and which Applicant contends is relevant to any of the claims and/or defenses in this proceeding, including for each such mark, the dates of usage(s) of such mark, the goods/services sold in connection with the mark, the identity of the party so using the mark, where (name and address) these goods/services can be found in the marketplace, the identity of each individual having knowledge of such use and whether that knowledge is personal knowledge or information and belief.

INTERROGATORY NO.16. Identify each objection, complaint, lawsuit, opposition, cancellation and other inter partes proceeding involving and/or with respect to, and/or in which Applicant asserted any rights in, Applicant's Mark.

INTERROGATORY NO.17. State in detail each fact and all information (including, but not limited to, each witness with personal knowledge of same) which evidences or supports Applicant's denials to the Notice of Opposition as stated in Applicant's Answer filed in this proceeding.

INTERROGATORY NO.18. State in detail each fact and all information (including, but not limited to, each witness with personal knowledge of same) which evidences or supports Applicant's Affirmative Defenses to the Notice of Opposition as stated in Applicant's Answer filed in this proceeding.

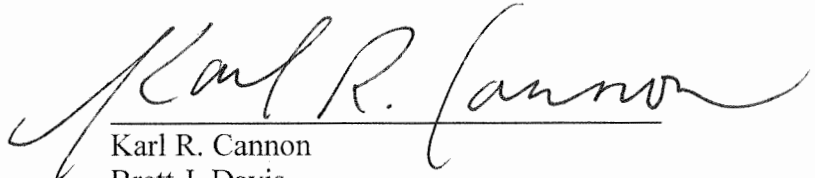
INTERROGATORY NO.19. Identify each person who furnished any information on which any part of an answer to these interrogatories is based, indicating the parts based on information so furnished by such person, and whether such information is within the personal knowledge of such person, and if not within such personal knowledge, identify the source of the information so furnished.

INTERROGATORY NO.20. Identify each expert witness who has been consulted and/or who may be called by Applicant to testify in this proceeding.

INTERROGATORY NO.21. Identify each person whom Applicant has consulted with respect to the Answer to Notice of Opposition herein and/or with respect to the possibility of testifying herein, and for each, summarize the information such person has regarding the Applicant's claims and/or this Opposition.

Please take notice that answers to the foregoing interrogatories must be served upon the undersigned within the time prescribed. Further, pursuant to FRCP 26(e)(1), Applicant is required to supplement or correct its disclosure or responses in a timely manner.

SERVED this 14 day of January, 2011.


Karl R. Cannon
Brett J. Davis

CLAYTON, HOWARTH & CANNON, P.C.

P.O. Box 1909

Sandy, Utah 84091-1909

Telephone: (801) 255-5335

Facsimile: (801) 255-5338

Attorneys for Opposer
Connect Public Relations, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **OPPOSER'S**
FIRST SET OF INTERROGATORIES NOS. 1-21 to be served, via first class mail, postage
prepaid, on this 14 day of January, 2011, to:

Thomas W. Cook, Esq.
Thomas Cook Intellectual Property Attorneys
3030 Bridgeway, Suite 425-430
Sausalito, California 94965-2810

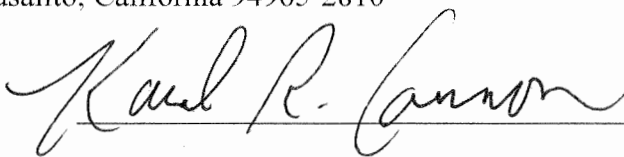


EXHIBIT 14

KARL R. CANNON (Registration No. 36,468)
BRETT J. DAVIS (Registration No. 46,655)
CLAYTON, HOWARTH & CANNON, P.C.
6965 Union Park Center, Suite 400
Cottonwood Heights, Utah 84047
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Connect Public Relations, Inc.

Opposed Mark: CONNECT
U.S. Trademark Application Serial Number: 77/714,693
Published: March 2, 2010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CONNECT PUBLIC RELATIONS, INC., a Utah corporation,)	
)	
Opposer)	OPPOSER'S SECOND SET OF INTERROGATORIES
)	
v.)	
)	
DIGITALMOJO, INC., a California corporation,)	Opposition No. 91196299
)	
Applicant.)	

OPPOSER'S SECOND SET INTERROGATORIES

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Opposer Connect Public Relations, Inc. (hereinafter referred to as "Opposer") hereby requests that Applicant Digitalmojo, Inc. (hereinafter referred to as "Applicant") answer under oath the interrogatories hereinafter propounded within thirty (30) days after service hereof.

In lieu of requested identification of written materials, Applicant may attach such materials or legible copies thereof to its answer to the interrogatory to which the requested identification pertains. If Applicant cannot provide the specific information requested in any interrogatory in full, Applicant must give the best information available to it on the subject. Should Applicant exercise its option to produce business records pursuant to Rule 33(c) of the Federal Rules of Civil Procedure, Applicant requests that such records be made available no later than ten (10) days following the day upon which a response to these interrogatories is due.

INSTRUCTIONS AND DEFINITIONS

The instructions and definitions set forth in OPPOSER'S FIRST SET OF INTERROGATORIES are adopted and incorporated by reference as if fully set forth herein.

INTERROGATORIES

INTERROGATORY NO.1. Does Applicant contend that any of the registrations for Opposer's Marks have not become incontestable? If the response to this interrogatory is other than an unqualified negative, state all reasons that support the Applicant's contention that the registrations for the Opposer's Marks have not become incontestable with respect to each registration.

INTERROGATORY NO.2. Does Applicant contend that any of Opposer's Marks are generic? If the response to this interrogatory is other than an unqualified negative, state all facts that support the Applicant's contention that the Opposer's Marks are generic with respect to each mark.

INTERROGATORY NO.3. Does Applicant contend that any purported dissimilarities between the goods/services of Opposer's Marks and the Applicant's Mark militate against a likelihood of confusion? If the response to this interrogatory is other than an unqualified negative, state all such dissimilarities between the goods/services of Opposer's Marks and the Applicant's Mark.


INTERROGATORY NO.4. Does Applicant contend that any purported dissimilarities between the channels of trade of Opposer's Marks and the Applicant's Mark militate against a likelihood of confusion? If the response to this interrogatory is other than an unqualified negative, state all such dissimilarities between the channels of trade of Opposer's Marks and the Applicant's Mark.

INTERROGATORY NO.5. Does Applicant contend that any purported dissimilarities between the appearance of Opposer's Marks and the Applicant's Mark militate against a likelihood of confusion? If the response to this interrogatory is other than an unqualified negative, state all such dissimilarities between the appearance of Opposer's Marks and the Applicant's Mark.

INTERROGATORY NO.6. Does Applicant contend that any purported dissimilarities between the conditions under which and the buyers to whom sales are made for the goods/services of the Opposer's Marks and the Applicant's Mark militate against a likelihood of confusion? If the response to this interrogatory is other than an unqualified negative, state all such dissimilarities between the conditions under which and the buyers to whom sales are made for the goods/services of the Opposer's Marks and the Applicant's Mark.

Please take notice that answers to the foregoing interrogatories must be served upon the undersigned within the time prescribed. Further, pursuant to FRCP 26(e)(1), Applicant is required to supplement or correct its disclosure or responses in a timely manner.

SERVED this 28 day of April, 2011.



Karl R. Cannon
Brett J. Davis

CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Opposer
Connect Public Relations, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **OPPOSER'S**
SECOND SET OF INTERROGATORIES to be served, via first class mail, postage prepaid, on
this 28 day of April, 2011, to:

Thomas W. Cook, Esq.
Thomas Cook Intellectual Property Attorneys
3030 Bridgeway, Suite 425-430
Sausalito, California 94965-2810

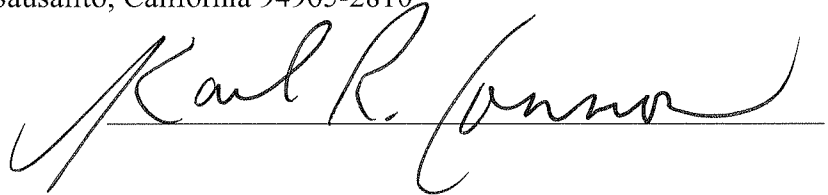
A handwritten signature in cursive script, reading "Karl R. Pinner", is written over a horizontal line.

EXHIBIT 15

Attorneys for Connect Public Relations, Inc.

Opposition No. 91196299
Cancellation No. 92054395
Cancellation No. 92054427

INTERROGATORIES - Page 1

In lieu of requested identification of written materials, Applicant may attach such materials or legible copies thereof to its answer to the interrogatory to which the requested identification pertains. If Applicant cannot provide the specific information requested in any interrogatory in full, Applicant must give the best information available to it on the subject. Should Applicant exercise its option to produce business records pursuant to Rule 33(c) of the Federal Rules of Civil Procedure, Applicant requests that such records be made available no later than ten (10) days following the day upon which a response to these interrogatories is due.

INSTRUCTIONS AND DEFINITIONS

The instructions and definitions set forth in OPPOSER'S FIRST SET OF INTERROGATORIES are adopted and incorporated by reference as if fully set forth herein.

INTERROGATORIES

INTERROGATORY NO.1. Describe in detail any contention held by Applicant that the following statement in the specimens of the Opposer's website appended to Applicant's Second Amended Petitions to Cancel does not constitute use in commerce of the Connect Public Relations® mark:

So, welcome to Connect MarketingSM. There are four parts of our new brand: Connect StrategicSM is where we help our clients build effective messaging as well as conduct primary research (focus groups and surveys.) Connect Public Relations® is the continuation of the traditional PR activities we've pursued for 22 years. It is still our core. Connect SocialSM is where we focus on all things Web 2.0 – social media, social networking, social content and social reference. And Connect StudiosSM is where we build meaningful, exciting, fun content—infographs, websites, videos and so on.

INTERROGATORY NO.2. Describe in detail any contention held by Applicant that the following graphic in the specimens of the Opposer's website appended to Applicant's Second Amended Petitions to Cancel does not constitute use in commerce of the Connect Public Relations® mark:



INTERROGATORY NO.3. Describe in detail any contention held by Applicant that the following statement in the specimens of the Opposer's website appended to Applicant's Second

Amended Petition to Cancel does not constitute use in commerce of the Connect Public Relations® mark: “We are expanding our brand. Today, Connect Public Relations® becomes Connect MarketingSM. Don’t think of this as a ‘switch,’ but rather as an ‘expansion.’”

INTERROGATORY NO.4. Describe in detail any contention held by Applicant that the use of the Connect Public Relations® mark on the Opposer’s current website, <http://connectmarketing.com/>, including the webpage, <http://connectmarketing.com/pr.asp>, does not constitute use in commerce.

INTERROGATORY NO.5. State in detail any contention held by Applicant that the use of the ConnectPR® mark on the Opposer’s current website, <http://connectmarketing.com/>, including the webpage, <http://connectmarketing.com/pr.asp>, does not constitute use in commerce.

INTERROGATORY NO.6. State in detail any contention held by Applicant that the use of the ConnectPR® mark on the Opposer’s current website, <http://connectmarketing.com/>, including the webpage, <http://connectmarketing.com/services.asp>, does not constitute use in commerce.

INTERROGATORY NO.7. State in detail any contention held by Applicant that the use of the Connect Public Relations® mark on the Opposer’s current website, <http://connectmarketing.com/>, including the webpage, <http://connectmarketing.com/services.asp>, does not constitute use in commerce.

INTERROGATORY NO.8. State in detail any contention held by Applicant that the following statement on the webpage, <http://connectmarketing.com/services.asp>, does not constitute use in commerce:

SERVICES

Connect Public Relations® and Connect PR® provide the following services:

- Communications services, namely, delivery of messages by electronic transmission;
- Marketing, namely, business marketing services; market research and marketing consulting services; public and media relations services; sales promotion services; marketing consultation services in the fields of computer hardware and software; marketing consultation services in the field of computer networks; marketing services, namely, designing online marketing programs for social networking websites and business networking website;
- Marketing and market research and consulting services; public and media relations services and sales promotion services.

INTERROGATORY NO.9. Identify the date(s), by day/month/year, on which Applicant contends that Opposer ceased using in commerce the Connect Public Relations® and ConnectPR® marks.

INTERROGATORY NO.10. Describe in detail all facts supporting Applicant's allegations in paragraph 8 of the Petitions to Cancel.

INTERROGATORY NO.11. Describe in detail all facts supporting Applicant's allegations in paragraph 9 of the Petitions to Cancel.

INTERROGATORY NO.12. Describe in detail all facts supporting Applicant's allegations in paragraph 10 of the Petitions to Cancel.

INTERROGATORY NO.13. Describe in detail all facts supporting Applicant's allegations that Opposer intends not to use the Connect Public Relations® and ConnectPR® marks in the future.

INTERROGATORY NO.14. Describe in detail the reasons why the Applicant contends in its Second Amended Petitions to Cancel that specimens of the Opposer's website appended to Applicant's Second Amended Petitions to Cancel demonstrate that Opposer intends not to use the

Connect Public Relations® mark even though the specimens include the following graphic that includes the Connect Public Relations® mark:



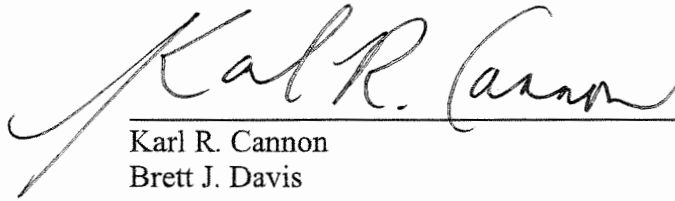
INTERROGATORY NO.15. State the period of time that Applicant contends that Opposer has not been using the Connect Public Relations® and ConnectPR® marks.

INTERROGATORY NO.16. Identify all documents that support Applicant's contention that Opposer has abandoned the Connect Public Relations® and ConnectPR® marks.

INTERROGATORY NO.17. Describe in detail, including the factual and legal basis therefore, any alleged errors in the conclusions made by Dr. Glenn Christensen in his expert report on the issue of abandonment previously served on Applicant, if Applicant alleges any such errors.

Please take notice that answers to the foregoing interrogatories must be served upon the undersigned within the time prescribed. Further, pursuant to FRCP 26(e)(1), Applicant is required to supplement or correct its disclosure or responses in a timely manner.

SERVED this 13th day of March, 2014.



Karl R. Cannon
Brett J. Davis

CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

Attorneys for Opposer
Connect Public Relations, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **OPPOSER'S**
THIRD SET OF INTERROGATORIES to be served, via first class mail, postage prepaid, on
this 13th day of March, 2014, to:

Thomas W. Cook, Esq.
Thomas Cook Intellectual Property Attorneys
3030 Bridgeway, Suite 425-430
Sausalito, California 94965-2810

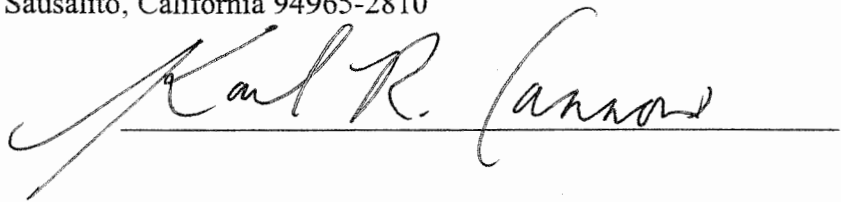
A handwritten signature in cursive script, reading "Karl R. Cannon", is written over a horizontal line.

EXHIBIT 16

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Application Serial No. 77/714,693

Mark: CONNECT

CONNECT PUBLIC RELATIONS, INC., a)
Utah corporation.)

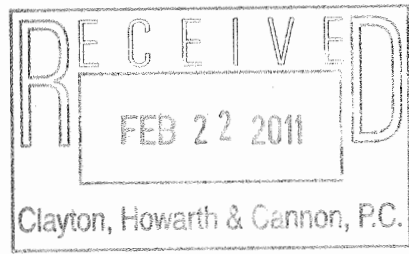
Opposer,)

v.)

DIGITALMOJO, INC., a California corporation)

Applicant.)

Opposition No. 91196299



RESPONSE TO REQUEST FOR ADMISSIONS, SET ONE

Propounding Party: Opposer, Connect Public Relations, Inc.
Responding Party: Applicant, Digitalmojo, Inc.
Set Number: One

GENERAL OBJECTIONS

Applicant's general objections set forth in Applicant's response to Opposer's Interrogatories, Set One, are incorporated herein to the extent they may be applicable. For purposes of these responses, Applicant assumes Opposer has correctly identified itself, and that Opposer sells the goods and services set forth in Opposer's Notice of Opposition. However, Applicant has no direct knowledge of Opposer, and Applicant cannot determine, except by Opposer's own statements in its Notice, whether Opposer is associated with any of the goods Opposer identifies, or any particular source for such goods. Accordingly, Applicant objects to all questions which call for information about Opposer, its goods or services, its marketing, and all other aspects of Opposer's business. Further, Applicant is without knowledge or information sufficient to form a belief as to the truth of the statements set forth in these Requests if such statements call for information related to Opposer, its business, and its marks, and Applicant must therefor deny the truth of allegations calling for such information.

RESPONSES

REQUEST FOR ADMISSION NO. 1.

1. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,362,916.

RESPONSE TO REQUEST FOR ADMISSION NO. 1.

Denied.

REQUEST FOR ADMISSION NO. 2.

2. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,373,504.

RESPONSE TO REQUEST FOR ADMISSION NO. 2.

Denied.

REQUEST FOR ADMISSION NO. 3.

3. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,373,505.

RESPONSE TO REQUEST FOR ADMISSION NO. 3.

Denied.

REQUEST FOR ADMISSION NO. 4.

4. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,383,778.

RESPONSE TO REQUEST FOR ADMISSION NO. 4.

Denied.

REQUEST FOR ADMISSION NO. 5.

5. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,365,074.

RESPONSE TO REQUEST FOR ADMISSION NO. 5.

Denied.

///

///

1 REQUEST FOR ADMISSION NO. 6.

2 6. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
3 knowledge of U.S. Trademark Registration No. 2,366,850.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 6.

5 Denied.

6 REQUEST FOR ADMISSION NO. 7.

7 7. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
8 knowledge of U.S. Trademark Registration No. 2,383,777.

9 RESPONSE TO REQUEST FOR ADMISSION NO. 7.

10 Denied.

11 REQUEST FOR ADMISSION NO. 8.

12 8. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
13 knowledge of U.S. Trademark Registration No. 2,713,692.

14 RESPONSE TO REQUEST FOR ADMISSION NO. 8.

15 Denied.

16 REQUEST FOR ADMISSION NO. 9.

17 9. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
18 knowledge of U.S. Trademark Registration No. 3,330,353.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 9.

20 Denied.

21 REQUEST FOR ADMISSION NO. 10.

22 10. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
23 knowledge of Opposer.

24 RESPONSE TO REQUEST FOR ADMISSION NO. 10.

25 Denied.

26 REQUEST FOR ADMISSION NO. 11.

27 11. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
28 knowledge of Opposer's website located at www.connectpr.com.

1 RESPONSE TO REQUEST FOR ADMISSION NO. 11.

2 Denied.

3 REQUEST FOR ADMISSION NO. 12.

4 12. Admit that prior to Applicant's selection of Applicant's Mark, Applicant visited Opposer's
5 web site at www.connectpr.com.

6 RESPONSE TO REQUEST FOR ADMISSION NO. 12.

7 Denied.

8 REQUEST FOR ADMISSION NO. 13.

9 13. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
10 of U.S. Trademark Registration No. 2,362,916.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 13.

12 Denied.

13 REQUEST FOR ADMISSION NO. 14.

14 14. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
15 of U.S. Trademark Registration No. 2,373,504.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 14.

17 Denied.

18 REQUEST FOR ADMISSION NO. 15.

19 15. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
20 of U.S. Trademark Registration No. 2,373,505.

21 RESPONSE TO REQUEST FOR ADMISSION NO. 15.

22 Denied.

23 REQUEST FOR ADMISSION NO. 16.

24 16. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
25 of U.S. Trademark Registration No. 2,383,778.

26 RESPONSE TO REQUEST FOR ADMISSION NO. 16.

27 Denied.

28 ///

1 REQUEST FOR ADMISSION NO. 17.

2 17. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
3 of U.S. Trademark Registration No. 2,365,074.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 17.

5 Denied.

6 REQUEST FOR ADMISSION NO. 18.

7 18. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
8 of U.S. Trademark Registration No. 2,366,850.

9 RESPONSE TO REQUEST FOR ADMISSION NO. 18.

10 Denied.

11 REQUEST FOR ADMISSION NO. 19.

12 19. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
13 of U.S. Trademark Registration No. 2,383,777.

14 RESPONSE TO REQUEST FOR ADMISSION NO. 19.

15 Denied.

16 REQUEST FOR ADMISSION NO. 20.

17 20. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
18 of U.S. Trademark Registration No. 2,713,692.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 20.

20 Denied.

21 REQUEST FOR ADMISSION NO. 21.

22 21. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
23 of U.S. Trademark Registration No. 3,330,353.

24 RESPONSE TO REQUEST FOR ADMISSION NO. 21.

25 Denied.

26 REQUEST FOR ADMISSION NO. 22.

27 22. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
28 of Opposer.

1 RESPONSE TO REQUEST FOR ADMISSION NO. 22.

2 Denied.

3 REQUEST FOR ADMISSION NO. 23.

4 23. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
5 of Opposer's website located at www.connectpr.com.

6 RESPONSE TO REQUEST FOR ADMISSION NO. 23.

7 Denied.

8 REQUEST FOR ADMISSION NO. 24.

9 24. Admit that prior to the filing of the opposed application, Applicant visited Opposer's
10 website at www.connectpr.com.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 24.

12 Denied.

13 REQUEST FOR ADMISSION NO. 25.

14 25. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
15 Trademark Registration No. 2,362,916.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 25.

17 Admit; this application is based on intent to use this mark in the future, and Applicant has
18 not used the mark by presenting it to the public in the normal course of business.

19 REQUEST FOR ADMISSION NO. 26.

20 26. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
21 Trademark Registration No. 2,373,504.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 26.

23 Admit; this application is based on intent to use this mark in the future, and Applicant has
24 not used the mark by presenting it to the public in the normal course of business.

25 REQUEST FOR ADMISSION NO. 27.

26 27. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
27 Trademark Registration No. 2,373,505.

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1 RESPONSE TO REQUEST FOR ADMISSION NO. 27.

2 Admit; this application is based on intent to use this mark in the future, and Applicant has
3 not used the mark by presenting it to the public in the normal course of business.

4 REQUEST FOR ADMISSION NO. 28.

5 28. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
6 Trademark Registration No. 2,383,778.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 28.

8 Admit; this application is based on intent to use this mark in the future, and Applicant has
9 not used the mark by presenting it to the public in the normal course of business.

10 REQUEST FOR ADMISSION NO. 29.

11 29. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
12 Trademark Registration No. 2,365,074.

13 RESPONSE TO REQUEST FOR ADMISSION NO. 29.

14 Admit; this application is based on intent to use this mark in the future, and Applicant has
15 not used the mark by presenting it to the public in the normal course of business.

16 REQUEST FOR ADMISSION NO. 30.

17 30. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
18 Trademark Registration No. 2,366,850.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 30.

20 Admit; this application is based on intent to use this mark in the future, and Applicant has
21 not used the mark by presenting it to the public in the normal course of business.

22 REQUEST FOR ADMISSION NO. 31.

23 31. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
24 Trademark Registration No. 2,383,777.

25 RESPONSE TO REQUEST FOR ADMISSION NO. 31.

26 Admit; this application is based on intent to use this mark in the future, and Applicant has
27 not used the mark by presenting it to the public in the normal course of business.

28 ///

1 REQUEST FOR ADMISSION NO. 32.

2 32. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
3 Trademark Registration No. 2,713,692.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 32.

5 Admit; this application is based on intent to use this mark in the future, and Applicant has
6 not used the mark by presenting it to the public in the normal course of business.

7 REQUEST FOR ADMISSION NO. 33.

8 33. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
9 Trademark Registration No. 3,330,353.

10 RESPONSE TO REQUEST FOR ADMISSION NO. 33.

11 Admit; this application is based on intent to use this mark in the future, and Applicant has
12 not used the mark by presenting it to the public in the normal course of business.

13 REQUEST FOR ADMISSION NO. 34.

14 34. Admit that prior to using the opposed mark, Applicant had actual knowledge of Opposer.

15 RESPONSE TO REQUEST FOR ADMISSION NO. 34.

16 Admit that prior to using the opposed mark, Applicant gained only such knowledge of
17 Opposer as has come to light in this opposition; this application is based on intent to use this
18 mark in the future, and Applicant has not yet used the mark by presenting it to the public in the
19 normal course of business.

20 REQUEST FOR ADMISSION NO. 35.

21 35. Admit that prior to using the opposed mark, Applicant had actual knowledge of Opposer's
22 website located at www.connectpr.com.

23 RESPONSE TO REQUEST FOR ADMISSION NO. 35.

24 Admit that prior to using the opposed mark, Applicant gained only such knowledge of
25 Opposer's website located at www.connectpr.com as has come to light in this opposition; this
26 application is based on intent to use this mark in the future, and Applicant has not yet used the
27 mark by presenting it to the public in the normal course of business.

28 ///

1 REQUEST FOR ADMISSION NO. 36.

2 36. Admit that prior to using the opposed mark, Applicant visited Opposer's website at
3 www.connectpr.com.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 36.

5 Admit; this application is based on intent to use this mark in the future, and Applicant has
6 not yet used the mark by presenting it to the public in the normal course of business.

7 REQUEST FOR ADMISSION NO. 37.

8 37. Admit that Applicant has used the opposed mark.

9 RESPONSE TO REQUEST FOR ADMISSION NO. 37.

10 Denied.

11 REQUEST FOR ADMISSION NO. 38.

12 38. Admit that Applicant owns the digitalmojo.com domain name.

13 RESPONSE TO REQUEST FOR ADMISSION NO. 38.

14 Admit.

15 REQUEST FOR ADMISSION NO. 39.

16 39. Admit that a related company of Applicant owns the digitalmojo.com domain name.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 39.

18 Admit.

19 REQUEST FOR ADMISSION NO. 40.

20 40. Admit that Applicant controls the content on the website found at www.digitalmojo.com.

21 RESPONSE TO REQUEST FOR ADMISSION NO. 40.

22 Admit.

23 REQUEST FOR ADMISSION NO. 41.

24 41. Admit that Applicant operates the web site found at www.digitalmojo.com.

25 RESPONSE TO REQUEST FOR ADMISSION NO. 41.

26 Admit.

27 ///

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1 REQUEST FOR ADMISSION NO. 42.

2 42. Admit that Applicant uses the opposed mark on the web site found at
3 www.digitalmojo.com.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 42.

5 Denied.

6 REQUEST FOR ADMISSION NO. 43.

7 43. Admit that Applicant offers, or has offered, to market the goods or services of others.

8 RESPONSE TO REQUEST FOR ADMISSION NO. 43.

9 Admit.

10 REQUEST FOR ADMISSION NO. 44.

11 44. Admit that Applicant offers, or has offered, to advertise the goods or services of others.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 44.

13 Admit.

14 REQUEST FOR ADMISSION NO. 45.

15 45. Admit that Applicant offers, or has offered, to promote the goods or services of others.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 45.

17 Admit.

18 REQUEST FOR ADMISSION NO. 46.

19 46. Admit that Applicant offers, or has offered, to sale the goods or services of others.

20 RESPONSE TO REQUEST FOR ADMISSION NO. 46.

21 This request cannot be admitted or denied, because it is incoherent as written. To
22 facilitate discovery, however, if Opposer means "sell" instead of "sale," Applicant admits.

23 REQUEST FOR ADMISSION NO. 47.

24 47. Admit that Applicant offers, or has offered, to conduct market research for others.

25 RESPONSE TO REQUEST FOR ADMISSION NO. 47.

26 Denied.

27 REQUEST FOR ADMISSION NO. 48.

28 48. Admit that Applicant offers, or has offered, reports.

1 RESPONSE TO REQUEST FOR ADMISSION NO. 48.

2 Applicant objects to this request in that the word "report" is undefined, and has no
3 meaning absent context. To facilitate discovery, however, Applicant admits it has reported its
4 income to the IRS, and it "offers, or has offered," other "reports" of this nature.

5 REQUEST FOR ADMISSION NO. 49.

6 49. Admit that Applicant offers, or has offered, press kits.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 49.

8 Denied.

9 REQUEST FOR ADMISSION NO. 50.

10 50. Admit that Applicant offers, or has offered, brochures.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 50.

12 Denied.

13 REQUEST FOR ADMISSION NO. 51.

14 51. Admit that Applicant offers, or has offered, flyers.

15 RESPONSE TO REQUEST FOR ADMISSION NO. 51.

16 Denied.

17 REQUEST FOR ADMISSION NO. 52.

18 52. Admit that Applicant offers, or has offered, press releases.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 52.

20 Denied.

21 REQUEST FOR ADMISSION NO. 53.

22 53. Admit that Applicant offers, or has offered, to perform public relations for others.

23 RESPONSE TO REQUEST FOR ADMISSION NO. 53.

24 Denied.

25 REQUEST FOR ADMISSION NO. 54.

26 54. Admit that Applicant offers, or has offered, to perform media relations for others.

27 RESPONSE TO REQUEST FOR ADMISSION NO. 54.

28 Denied.

1 REQUEST FOR ADMISSION NO. 55.

2 55. Admit that Applicant offers, or has offered, to perform sales promotion for others.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 55.

4 Admit.

5 REQUEST FOR ADMISSION NO. 56.

6 56. Admit that Applicant offers, or has offered, prerecorded audio recordings.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 56.

8 Denied.

9 REQUEST FOR ADMISSION NO. 57.

10 57. Admit that Applicant offers, or has offered, prerecorded video recordings.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 57.

12 Denied.

13 REQUEST FOR ADMISSION NO. 58.

14 58. Admit that Applicant offers, or has offered, computer discs and CD-ROMS.

15 RESPONSE TO REQUEST FOR ADMISSION NO. 58.

16 Denied.

17 REQUEST FOR ADMISSION NO. 59.

18 59. Admit that Applicant offers, or has offered, prerecorded audio-visual recordings.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 59.

20 Denied.

21 REQUEST FOR ADMISSION NO. 60.

22 60. Admit that Applicant offers, or has offered, electronic publications.

23 RESPONSE TO REQUEST FOR ADMISSION NO. 60.

24 Denied.

25 REQUEST FOR ADMISSION NO. 61.

26 61. Admit that Applicant offers, or has offered, to deliver messages by electronic transmission
27 for others.

28 ///

1 RESPONSE TO REQUEST FOR ADMISSION NO. 61.

2 Admit Applicant employs an advertising method which involves transmitting information
3 about, to, and from its clients.

4 REQUEST FOR ADMISSION NO. 62.

5 62. Admit that Applicant offers, or has offered, to deliver advertisements by electronic
6 transmission.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 62.

8 Admit Applicant advertises for its clients via the Internet.

9 REQUEST FOR ADMISSION NO. 63.

10 63. Admit that Applicant offers, or has offered, strategic marketing planning for others.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 63.

12 Denied; Applicant is not a marketing consultant.

13 REQUEST FOR ADMISSION NO. 64.

14 64. Admit that Applicant offers, or has offered, development of market positioning and
15 messaging for others.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 64.

17 Denied; Applicant is not a public relations company.

18 REQUEST FOR ADMISSION NO. 65.

19 65. Admit that Applicant offers, or has offered, editorial support for sales promotion material
20 for others.

21 RESPONSE TO REQUEST FOR ADMISSION NO. 65.

22 Admit that Applicant writes copy for its clients, with their oversight, guidance, and
23 approval, as necessary to advertize the services of its clients at Applicant's web sites, or on web
24 sites used by Applicant under the authority of its clients.

25 REQUEST FOR ADMISSION NO. 66

26 66. Admit that the mark of U.S. Trademark Registration No. 2,362,916 is incontestable.

27 RESPONSE TO REQUEST FOR ADMISSION NO. 66.

28 Denied.

1 REQUEST FOR ADMISSION NO. 67.

2 67. Admit that the mark of U.S. Trademark Registration No. 2,373,504 is incontestable.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 67.

4 Denied.

5 REQUEST FOR ADMISSION NO. 68.

6 68. Admit that the mark of U.S. Trademark Registration No. 2,373,505 is incontestable.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 68.

8 Denied.

9 REQUEST FOR ADMISSION NO. 69.

10 69. Admit that the mark of U.S. Trademark Registration No. 2,383,778 is incontestable.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 69.

12 Denied.

13 REQUEST FOR ADMISSION NO. 70.

14 70. Admit that the mark of U.S. Trademark Registration No. 2,365,074 is incontestable.

15 RESPONSE TO REQUEST FOR ADMISSION NO. 70.

16 Denied.

17 REQUEST FOR ADMISSION NO. 71.

18 71. Admit that the mark of U.S. Trademark Registration No. 2,366,850 is incontestable.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 71.

20 Denied.

21 REQUEST FOR ADMISSION NO. 72.

22 72. Admit that the mark of U.S. Trademark Registration No. 2,383,777 is incontestable.

23 RESPONSE TO REQUEST FOR ADMISSION NO. 72.

24 Denied.

25 REQUEST FOR ADMISSION NO. 73.

26 73. Admit that the mark of U.S. Trademark Registration No. 2,713,692 is incontestable.

27 RESPONSE TO REQUEST FOR ADMISSION NO. 73.

28 Denied.

1 REQUEST FOR ADMISSION NO. 74.

2 74. Admit that all documents produced by Applicant in response to Opposer's First Request
3 for Production in this proceeding are genuine pursuant to the Federal Rules of Evidence.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 74.

5 Admit.

6 REQUEST FOR ADMISSION NO. 75.

7 75. Admit that all documents produced by Applicant in response to Opposer's First Request
8 for Production in this proceeding are part of the business records of Applicant kept in the
9 normal course of business.

10 RESPONSE TO REQUEST FOR ADMISSION NO. 75.

11 Admit.

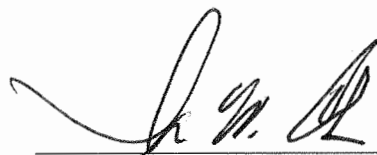
12 REQUEST FOR ADMISSION NO. 76.

13 76. Admit that all documents produced by Applicant in response to Opposer's First Request
14 for Production in this proceeding are admissible as evidence in this proceeding under the
15 Federal Rules of Evidence, subject to any objections of Applicant on the grounds of
16 relevance.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 76.

18 Admit.

19
20 Date: February 16, 2011



Thomas W. Cook, Reg. No. 38,849
Attorney for Applicant
3030 Bridgeway, Suite 425-430
Sausalito, California 94965
Telephone: 415-339-8550

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PROOF OF SERVICE

I hereby declare:

I am over the age of 18 years, and am not a party to the within cause. I am employed in Sausalito, California.

My business address is 3030 Bridgeway, Suite 425-430, Sausalito, California. My mailing address is P.O. Box 1989, Sausalito, California.

On the date first written below, I served a true copy of the attached document entitled:

RESPONSES TO REQUEST FOR ADMISSIONS, SET ONE

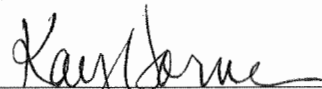
by placing it in a sealed envelope and depositing it in the United States mail, first class postage fully prepaid, addressed to the following:

Clayton, Howarth & Cannon, P.C.
P. O. Box 1909
Sandy UT 84091-1909

Attention: Karl R. Cannon

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sausalito, California.

February 17, 2011



Kay Horne

EXHIBIT 17

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
2 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

3 In the Matter of Trademark Application Serial No. 77/714,693

4 Mark: CONNECT

5 CONNECT PUBLIC RELATIONS, INC., a
6 Utah corporation.

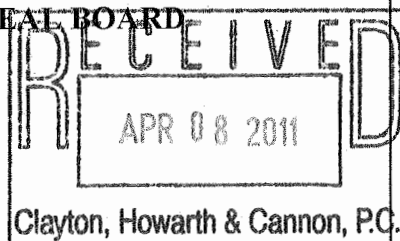
7 Opposer,

8 v.

9 DIGITALMOJO, INC., a California corporation

10 Applicant.
11

Opposition No. 91196299



12 **APPLICANT'S SUPPLEMENTAL RESPONSE TO**
13 **OPPOSER'S REQUEST FOR ADMISSIONS, SET ONE**

14 Propounding Party: Opposer, Connect Public Relations, Inc.
15 Responding Party: Applicant, Digitalmojo, Inc.
16 Set Number: One, Supplemental

17 **GENERAL OBJECTIONS**

18 Applicant's general objections set forth in Applicant's response to Opposer's
19 Interrogatories, Set One, are incorporated herein to the extent they may be applicable. For
20 purposes of these responses, Applicant assumes Opposer has correctly identified itself, and that
21 Opposer sells the goods and services set forth in Opposer's Notice of Opposition. However,
22 Applicant has no direct knowledge of Opposer, and Applicant cannot determine, except by
23 Opposer's own statements in its Notice, whether Opposer is associated with any of the goods
24 Opposer identifies, or any particular source for such goods. Accordingly, Applicant objects to all
25 questions which call for information about Opposer, its goods or services, its marketing, and all
26 other aspects of Opposer's business. Further, Applicant is without knowledge or information
27 sufficient to form a belief as to the truth of the statements set forth in these Requests if such
28 statements call for information related to Opposer, its business, and its marks, and Applicant must

therefor deny the truth of allegations calling for such information.

RESPONSES

REQUEST FOR ADMISSION NO. 1.

1. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,362,916.

RESPONSE TO REQUEST FOR ADMISSION NO. 1.

Denied.

SUPPLEMENTAL RESPONSE TO NO. 1:

Denied. Applicant understands as a matter of logic that Opposer's Marks were likely observed in passing, as part of a group of marks when search results are produced in list form at the USPTO, and Applicant assumes as much. However, because of the large number of such marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark Registration No. 2,362,916 prior to Applicant's selection of Applicant's Mark.

REQUEST FOR ADMISSION NO. 2.

2. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual knowledge of U.S. Trademark Registration No. 2,373,504.

RESPONSE TO REQUEST FOR ADMISSION NO. 2.

Denied.

SUPPLEMENTAL RESPONSE TO NO. 2:

Denied. Applicant understands as a matter of logic that Opposer's Marks were likely observed in passing, as part of a group of marks when search results are produced in list form at the USPTO, and Applicant assumes as much. However, because of the large number of such marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark Registration No. 2,373,504 prior to Applicant's selection of Applicant's Mark.

1 REQUEST FOR ADMISSION NO. 3.

2 3. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
3 knowledge of U.S. Trademark Registration No. 2,373,505.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 3.

5 Denied.

6 SUPPLEMENTAL RESPONSE TO NO. 3:

7 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
8 *observed in passing, as part of a group of marks when search results are produced in list form at*
9 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
10 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
11 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
12 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
13 *Registration No. 2,373,505 prior to Applicant's selection of Applicant's Mark.*

14 REQUEST FOR ADMISSION NO. 4.

15 4. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
16 knowledge of U.S. Trademark Registration No. 2,383,778.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 4.

18 Denied.

19 SUPPLEMENTAL RESPONSE TO NO. 4:

20 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
21 *observed in passing, as part of a group of marks when search results are produced in list form at*
22 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
23 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
24 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
25 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
26 *Registration No. 2,383,778 prior to Applicant's selection of Applicant's Mark.*

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1 REQUEST FOR ADMISSION NO. 5.

2 5. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
3 knowledge of U.S. Trademark Registration No. 2,365,074.

4 RESPONSE TO REQUEST FOR ADMISSION NO.5.

5 Denied.

6 SUPPLEMENTAL RESPONSE TO NO. 5:

7 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
8 *observed in passing, as part of a group of marks when search results are produced in list form at*
9 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
10 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
11 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
12 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
13 *Registration No. 2,365,074 prior to Applicant's selection of Applicant's Mark.*

14 REQUEST FOR ADMISSION NO. 6.

15 6. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
16 knowledge of U.S. Trademark Registration No. 2,366,850.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 6.

18 Denied.

19 SUPPLEMENTAL RESPONSE TO NO. 6:

20 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
21 *observed in passing, as part of a group of marks when search results are produced in list form at*
22 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
23 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
24 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
25 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
26 *Registration No. 2,366,850 prior to Applicant's selection of Applicant's Mark.*

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1 REQUEST FOR ADMISSION NO. 7.

2 7. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
3 knowledge of U.S. Trademark Registration No. 2,383,777.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 7.

5 Denied.

6 SUPPLEMENTAL RESPONSE TO NO. 7:

7 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
8 *observed in passing, as part of a group of marks when search results are produced in list form at*
9 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
10 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
11 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
12 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
13 *Registration No. 2,383,777 prior to Applicant's selection of Applicant's Mark.*

14 REQUEST FOR ADMISSION NO. 8.

15 8. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
16 knowledge of U.S. Trademark Registration No. 2,713,692.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 8.

18 Denied.

19 SUPPLEMENTAL RESPONSE TO NO. 8:

20 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
21 *observed in passing, as part of a group of marks when search results are produced in list form at*
22 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
23 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
24 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
25 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
26 *Registration No. 2,713,692 prior to Applicant's selection of Applicant's Mark.*

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1 REQUEST FOR ADMISSION NO. 9.

2 9. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
3 knowledge of U.S. Trademark Registration No. 3,330,353.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 9.

5 Denied.

6 SUPPLEMENTAL RESPONSE TO NO. 9:

7 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
8 *observed in passing, as part of a group of marks when search results are produced in list form at*
9 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
10 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
11 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
12 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
13 *Registration No. 3,330,353 prior to Applicant's selection of Applicant's Mark.*

14 REQUEST FOR ADMISSION NO. 10.

15 10. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
16 knowledge of Opposer.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 10.

18 Denied.

19 SUPPLEMENTAL RESPONSE TO NO. 10:

20 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
21 *observed in passing, as part of a group of marks when search results are produced in list form at*
22 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
23 *marks, Applicant did not take note of individual registration numbers or registrants. Applicant*
24 *had no memory of seeing any of Opposer's registrations, and Applicant therefore had no*
25 *"actual knowledge" of Opposer prior to Applicant's selection of Applicant's Mark.*

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1 REQUEST FOR ADMISSION NO. 11.

2 11. Admit that prior to Applicant's selection of Applicant's Mark, Applicant had actual
3 knowledge of Opposer's website located at www.connectpr.com.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 11.

5 Denied.

6 REQUEST FOR ADMISSION NO. 12.

7 12. Admit that prior to Applicant's selection of Applicant's Mark, Applicant visited Opposer's
8 web site at www.connectpr.com.

9 RESPONSE TO REQUEST FOR ADMISSION NO. 12.

10 Denied.

11 REQUEST FOR ADMISSION NO. 13.

12 13. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
13 of U.S. Trademark Registration No. 2,362,916.

14 RESPONSE TO REQUEST FOR ADMISSION NO. 13.

15 Denied.

16 SUPPLEMENTAL RESPONSE TO NO. 13:

17 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
18 *observed in passing, as part of a group of marks when search results are produced in list form at*
19 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
20 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
21 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
22 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
23 *Registration No. 2,362,916 prior to Applicant's selection of Applicant's Mark.*

24 REQUEST FOR ADMISSION NO. 14.

25 14. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
26 of U.S. Trademark Registration No. 2,373,504.

27 RESPONSE TO REQUEST FOR ADMISSION NO. 14.

28 Denied.

1 SUPPLEMENTAL RESPONSE TO NO. 14:

2 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
3 *observed in passing, as part of a group of marks when search results are produced in list form at*
4 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
5 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
6 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
7 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
8 *Registration No. 2,373,504 prior to the filing of the opposed application.*

9 REQUEST FOR ADMISSION NO. 15:

10 15. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
11 of U.S. Trademark Registration No. 2,373,505.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 15:

13 Denied.

14 SUPPLEMENTAL RESPONSE TO NO. 15:

15 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
16 *observed in passing, as part of a group of marks when search results are produced in list form at*
17 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
18 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
19 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
20 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
21 *Registration No. 2,373,505 prior to the filing of the opposed application.*

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1 REQUEST FOR ADMISSION NO. 16.

2 16. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
3 of U.S. Trademark Registration No. 2,383,778.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 16.

5 Denied.

6 SUPPLEMENTAL RESPONSE TO NO. 16:

7 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
8 *observed in passing, as part of a group of marks when search results are produced in list form at*
9 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
10 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
11 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
12 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
13 *Registration No. 2,383,778 prior to the filing of the opposed application.*

14 REQUEST FOR ADMISSION NO. 17.

15 17. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
16 of U.S. Trademark Registration No. 2,365,074.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 17.

18 Denied.

19 SUPPLEMENTAL RESPONSE TO NO. 17:

20 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
21 *observed in passing, as part of a group of marks when search results are produced in list form at*
22 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
23 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
24 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
25 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
26 *Registration No. 2,365,074 prior to the filing of the opposed application.*

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1 REQUEST FOR ADMISSION NO. 18.

2 18. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
3 of U.S. Trademark Registration No. 2,366,850.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 18.

5 Denied.

6 SUPPLEMENTAL RESPONSE TO NO. 18:

7 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
8 *observed in passing, as part of a group of marks when search results are produced in list form at*
9 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
10 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
11 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
12 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
13 *Registration No. 2,366,850 prior to the filing of the opposed application.*

14 REQUEST FOR ADMISSION NO. 19.

15 19. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
16 of U.S. Trademark Registration No. 2,383,777.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 19.

18 Denied.

19 SUPPLEMENTAL RESPONSE TO NO. 19:

20 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
21 *observed in passing, as part of a group of marks when search results are produced in list form at*
22 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
23 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
24 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
25 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
26 *Registration No. 2,383,777 prior to the filing of the opposed application.*

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1 REQUEST FOR ADMISSION NO. 20.

2 20. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
3 of U.S. Trademark Registration No. 2,713,692.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 20.

5 Denied.

6 SUPPLEMENTAL RESPONSE TO NO. 20:

7 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
8 *observed in passing, as part of a group of marks when search results are produced in list form at*
9 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
10 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
11 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
12 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
13 *Registration No. 2,713,692 prior to the filing of the opposed application.*

14 REQUEST FOR ADMISSION NO. 21.

15 21. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
16 of U.S. Trademark Registration No. 3,330,353.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 21.

18 Denied.

19 SUPPLEMENTAL RESPONSE TO NO. 21:

20 *Denied. Applicant understands as a matter of logic that Opposer's Marks were likely*
21 *observed in passing, as part of a group of marks when search results are produced in list form at*
22 *the USPTO, and Applicant assumes as much. However, because of the large number of such*
23 *marks, Applicant did not take note of individual registration numbers, and Opposer's Marks did*
24 *not stand out in the memory of Applicant. Accordingly, Applicant had no memory of seeing this*
25 *particular registration, and Applicant therefore had no "actual knowledge" of U.S. Trademark*
26 *Registration No. 3,330,353 prior to the filing of the opposed application.*

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1 REQUEST FOR ADMISSION NO. 22.

2 22. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
3 of Opposer.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 22.

5 Denied.

6 REQUEST FOR ADMISSION NO. 23.

7 23. Admit that prior to the filing of the opposed application, Applicant had actual knowledge
8 of Opposer's website located at www.connectpr.com.

9 RESPONSE TO REQUEST FOR ADMISSION NO. 23.

10 Denied.

11 REQUEST FOR ADMISSION NO. 24.

12 24. Admit that prior to the filing of the opposed application, Applicant visited Opposer's
13 website at www.connectpr.com.

14 RESPONSE TO REQUEST FOR ADMISSION NO. 24.

15 Denied.

16 REQUEST FOR ADMISSION NO. 25.

17 25. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
18 Trademark Registration No. 2,362,916.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 25.

20 Admit; this application is based on intent to use this mark in the future, and Applicant has
21 not used the mark by presenting it to the public in the normal course of business.

22 REQUEST FOR ADMISSION NO. 26.

23 26. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
24 Trademark Registration No. 2,373,504.

25 RESPONSE TO REQUEST FOR ADMISSION NO. 26.

26 Admit; this application is based on intent to use this mark in the future, and Applicant has
27 not used the mark by presenting it to the public in the normal course of business.

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1 REQUEST FOR ADMISSION NO. 27.

2 27. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
3 Trademark Registration No. 2,373,505.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 27.

5 Admit; this application is based on intent to use this mark in the future, and Applicant has
6 not used the mark by presenting it to the public in the normal course of business.

7 REQUEST FOR ADMISSION NO. 28.

8 28. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
9 Trademark Registration No. 2,383,778.

10 RESPONSE TO REQUEST FOR ADMISSION NO. 28.

11 Admit; this application is based on intent to use this mark in the future, and Applicant has
12 not used the mark by presenting it to the public in the normal course of business.

13 REQUEST FOR ADMISSION NO. 29.

14 29. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
15 Trademark Registration No. 2,365,074.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 29.

17 Admit; this application is based on intent to use this mark in the future, and Applicant has
18 not used the mark by presenting it to the public in the normal course of business.

19 REQUEST FOR ADMISSION NO. 30.

20 30. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
21 Trademark Registration No. 2,366,850.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 30.

23 Admit; this application is based on intent to use this mark in the future, and Applicant has
24 not used the mark by presenting it to the public in the normal course of business.

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1 REQUEST FOR ADMISSION NO. 31.

2 31. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
3 Trademark Registration No. 2,383,777.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 31.

5 Admit; this application is based on intent to use this mark in the future, and Applicant has
6 not used the mark by presenting it to the public in the normal course of business.

7 REQUEST FOR ADMISSION NO. 32.

8 32. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
9 Trademark Registration No. 2,713,692.

10 RESPONSE TO REQUEST FOR ADMISSION NO. 32.

11 Admit; this application is based on intent to use this mark in the future, and Applicant has
12 not used the mark by presenting it to the public in the normal course of business.

13 REQUEST FOR ADMISSION NO. 33.

14 33. Admit that prior to using the opposed mark, Applicant had actual knowledge of U.S.
15 Trademark Registration No. 3,330,353.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 33.

17 Admit; this application is based on intent to use this mark in the future, and Applicant has
18 not used the mark by presenting it to the public in the normal course of business.

19 REQUEST FOR ADMISSION NO. 34.

20 34. Admit that prior to using the opposed mark, Applicant had actual knowledge of Opposer.

21 RESPONSE TO REQUEST FOR ADMISSION NO. 34.

22 Admit that prior to using the opposed mark, Applicant gained only such knowledge of
23 Opposer as has come to light in this opposition; this application is based on intent to use this mark
24 in the future, and Applicant has not yet used the mark by presenting it to the public in the normal
25 course of business.

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1 REQUEST FOR ADMISSION NO. 35.

2 35. Admit that prior to using the opposed mark, Applicant had actual knowledge of Opposer's
3 website located at www.connectpr.com.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 35.

5 Admit that prior to using the opposed mark, Applicant gained only such knowledge of
6 Opposer's website located at www.connectpr.com as has come to light in this opposition; this
7 application is based on intent to use this mark in the future, and Applicant has not yet used the
8 mark by presenting it to the public in the normal course of business.

9 REQUEST FOR ADMISSION NO. 36.

10 36. Admit that prior to using the opposed mark, Applicant visited Opposer's website at
11 www.connectpr.com.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 36.

13 Admit; this application is based on intent to use this mark in the future, and Applicant has
14 not yet used the mark by presenting it to the public in the normal course of business.

15 REQUEST FOR ADMISSION NO. 37.

16 37. Admit that Applicant has used the opposed mark.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 37.

18 Denied.

19 REQUEST FOR ADMISSION NO. 38.

20 38. Admit that Applicant owns the digitalmojo.com domain name.

21 RESPONSE TO REQUEST FOR ADMISSION NO. 38.

22 Admit.

23 REQUEST FOR ADMISSION NO. 39.

24 39. Admit that a related company of Applicant owns the digitalmojo.com domain name.

25 RESPONSE TO REQUEST FOR ADMISSION NO. 39.

26 Admit.

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1 REQUEST FOR ADMISSION NO. 40.

2 40. Admit that Applicant controls the content on the website found at www.digitalmojo.com.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 40.

4 Admit.

5 REQUEST FOR ADMISSION NO. 41.

6 41. Admit that Applicant operates the web site found at www.digitalmojo.com.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 41.

8 Admit.

9 REQUEST FOR ADMISSION NO. 42.

10 42. Admit that Applicant uses the opposed mark on the web site found at

11 www.digitalmojo.com.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 42.

13 Denied.

14 REQUEST FOR ADMISSION NO. 43.

15 43. Admit that Applicant offers, or has offered, to market the goods or services of others.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 43.

17 Admit.

18 REQUEST FOR ADMISSION NO. 44.

19 44. Admit that Applicant offers, or has offered, to advertise the goods or services of others.

20 RESPONSE TO REQUEST FOR ADMISSION NO. 44.

21 Admit.

22 REQUEST FOR ADMISSION NO. 45.

23 45. Admit that Applicant offers, or has offered, to promote the goods or services of others.

24 RESPONSE TO REQUEST FOR ADMISSION NO. 45.

25 Admit.

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1 REQUEST FOR ADMISSION NO. 46.

2 46. Admit that Applicant offers, or has offered, to sale the goods or services of others.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 46.

4 This request cannot be admitted or denied, because it is incoherent as written. To
5 facilitate discovery, however, if Opposer means "sell" instead of "sale," Applicant admits.

6 REQUEST FOR ADMISSION NO. 47.

7 47. Admit that Applicant offers, or has offered, to conduct market research for others.

8 RESPONSE TO REQUEST FOR ADMISSION NO. 47.

9 Denied.

10 REQUEST FOR ADMISSION NO. 48.

11 48. Admit that Applicant offers, or has offered, reports.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 48.

13 Applicant objects to this request in that the word "report" is undefined, and has no
14 meaning absent context. To facilitate discovery, however, Applicant admits it has reported its
15 income to the IRS, and it "offers, or has offered," other "reports" of this nature.

16 REQUEST FOR ADMISSION NO. 49.

17 49. Admit that Applicant offers, or has offered, press kits.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 49.

19 Denied.

20 REQUEST FOR ADMISSION NO. 50.

21 50. Admit that Applicant offers, or has offered, brochures.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 50.

23 Denied.

24 REQUEST FOR ADMISSION NO. 51.

25 51. Admit that Applicant offers, or has offered, flyers.

26 RESPONSE TO REQUEST FOR ADMISSION NO. 51.

27 Denied.

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1 REQUEST FOR ADMISSION NO. 52.

2 52. Admit that Applicant offers, or has offered, press releases.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 52.

4 Denied.

5 REQUEST FOR ADMISSION NO. 53.

6 53. Admit that Applicant offers, or has offered, to perform public relations for others.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 53.

8 Denied.

9 REQUEST FOR ADMISSION NO. 54.

10 54. Admit that Applicant offers, or has offered, to perform media relations for others.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 54.

12 Denied.

13 REQUEST FOR ADMISSION NO. 55.

14 55. Admit that Applicant offers, or has offered, to perform sales promotion for others.

15 RESPONSE TO REQUEST FOR ADMISSION NO. 55.

16 Admit.

17 REQUEST FOR ADMISSION NO. 56.

18 56. Admit that Applicant offers, or has offered, prerecorded audio recordings.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 56.

20 Denied.

21 REQUEST FOR ADMISSION NO. 57.

22 57. Admit that Applicant offers, or has offered, prerecorded video recordings.

23 RESPONSE TO REQUEST FOR ADMISSION NO. 57.

24 Denied.

25 REQUEST FOR ADMISSION NO. 58.

26 58. Admit that Applicant offers, or has offered, computer discs and CD-ROMS.

27 RESPONSE TO REQUEST FOR ADMISSION NO. 58.

28 Denied.

1 REQUEST FOR ADMISSION NO. 59.

2 59. Admit that Applicant offers, or has offered, prerecorded audio-visual recordings.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 59.

4 Denied.

5 REQUEST FOR ADMISSION NO. 60.

6 60. Admit that Applicant offers, or has offered, electronic publications.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 60.

8 Denied.

9 REQUEST FOR ADMISSION NO. 61.

10 61. Admit that Applicant offers, or has offered, to deliver messages by electronic transmission
11 for others.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 61.

13 Admit Applicant employs an advertising method which involves transmitting information
14 about, to, and from its clients.

15 REQUEST FOR ADMISSION NO. 62.

16 62. Admit that Applicant offers, or has offered, to deliver advertisements by electronic
17 transmission.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 62.

19 Admit Applicant advertises for its clients via the Internet.

20 REQUEST FOR ADMISSION NO. 63.

21 63. Admit that Applicant offers, or has offered, strategic marketing planning for others.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 63.

23 Denied; Applicant is not a marketing consultant.

24 REQUEST FOR ADMISSION NO. 64.

25 64. Admit that Applicant offers, or has offered, development of market positioning and
26 messaging for others.

27 RESPONSE TO REQUEST FOR ADMISSION NO. 64.

28 Denied; Applicant is not a public relations company.

1 REQUEST FOR ADMISSION NO. 65.

2 65. Admit that Applicant offers, or has offered, editorial support for sales promotion material
3 for others.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 65.

5 Admit that Applicant writes copy for its clients, with their oversight, guidance, and
6 approval, as necessary to advertize the services of its clients at Applicant's web sites, or on web
7 sites used by Applicant under the authority of its clients.

8 REQUEST FOR ADMISSION NO. 66

9 66. Admit that the mark of U.S. Trademark Registration No. 2,362,916 is incontestable.

10 RESPONSE TO REQUEST FOR ADMISSION NO. 66.

11 Denied.

12 REQUEST FOR ADMISSION NO. 67.

13 67. Admit that the mark of U.S. Trademark Registration No. 2,373,504 is incontestable.

14 RESPONSE TO REQUEST FOR ADMISSION NO. 67.

15 Denied.

16 REQUEST FOR ADMISSION NO. 68.

17 68. Admit that the mark of U.S. Trademark Registration No. 2,373,505 is incontestable.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 68.

19 Denied.

20 REQUEST FOR ADMISSION NO. 69.

21 69. Admit that the mark of U.S. Trademark Registration No. 2,383,778 is incontestable.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 69.

23 Denied.

24 REQUEST FOR ADMISSION NO. 70.

25 70. Admit that the mark of U.S. Trademark Registration No. 2,365,074 is incontestable.

26 RESPONSE TO REQUEST FOR ADMISSION NO. 70.

27 Denied.

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1 REQUEST FOR ADMISSION NO. 71.

2 71. Admit that the mark of U.S. Trademark Registration No. 2,366,850 is incontestable.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 71.

4 Denied.

5 REQUEST FOR ADMISSION NO. 72.

6 72. Admit that the mark of U.S. Trademark Registration No. 2,383,777 is incontestable.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 72.

8 Denied.

9 REQUEST FOR ADMISSION NO. 73.

10 73. Admit that the mark of U.S. Trademark Registration No. 2,713,692 is incontestable.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 73.

12 Denied.

13 REQUEST FOR ADMISSION NO. 74.

14 74. Admit that all documents produced by Applicant in response to Opposer's First Request for
15 Production in this proceeding are genuine pursuant to the Federal Rules of Evidence.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 74.

17 Admit.

18 REQUEST FOR ADMISSION NO. 75.

19 75. Admit that all documents produced by Applicant in response to Opposer's First Request for
20 Production in this proceeding are part of the business records of Applicant kept in the
21 normal course of business.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 75.

23 Admit.

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1 REQUEST FOR ADMISSION NO. 76.

2 76. Admit that all documents produced by Applicant in response to Opposer's First Request for
3 Production in this proceeding are admissible as evidence in this proceeding under the
4 Federal Rules of Evidence, subject to any objections of Applicant on the grounds of
5 relevance.

6 RESPONSE TO REQUEST FOR ADMISSION NO. 76.

7 Admit.

8
9 Date: April 5, 2011



Thomas W. Cook, Reg. No. 38,849
Attorney for Applicant
3030 Bridgeway, Suite 425-430
Sausalito, California 94965
Telephone: 415-339-8550

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PROOF OF SERVICE

I hereby declare:

I am over the age of 18 years, and am not a party to the within cause. I am employed in Sausalito, California.

My business address is 3030 Bridgeway, Suite 425-430, Sausalito, California. My mailing address is P.O. Box 1989, Sausalito, California.

On the date first written below, I served a true copy of the attached document entitled:

**APPLICANT'S SUPPLEMENTAL RESPONSE TO
OPPOSER'S REQUEST FOR ADMISSIONS, SET ONE**

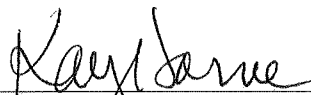
by placing it in a sealed envelope and depositing it in the United States mail, first class postage fully prepaid, addressed to the following:

Clayton, Howarth & Cannon, P.C.
P. O. Box 1909
Sandy UT 84091-1909

Attention: Karl R. Cannon

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sausalito, California.

April 6, 2011



Kay Horne

EXHIBIT 18

T12002.A.1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Application Serial No. 77/714,693

Mark: CONNECT

CONNECT PUBLIC RELATIONS, INC., a
Utah corporation.

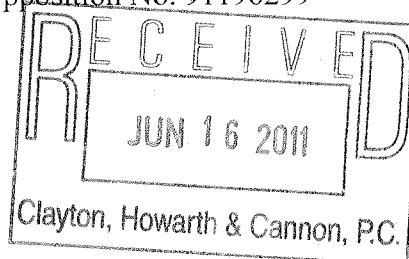
Opposer,

v.

DIGITALMOJO, INC., a California corporation

Applicant.

Opposition No. 91196299



RESPONSE TO REQUEST FOR ADMISSIONS, SET TWO

Propounding Party:	Opposer, Connect Public Relations, Inc.
Responding Party:	Applicant, Digitalmojo, Inc.
Set Number:	Two

GENERAL OBJECTIONS

Applicant's general objections set forth in Applicant's response to Opposer's Interrogatories, Set Two, are incorporated herein to the extent they may be applicable. For purposes of these responses, Applicant assumes Opposer has correctly identified itself, and that Opposer sells the goods and services set forth in Opposer's Notice of Opposition. However, Applicant has no direct knowledge of Opposer, and Applicant cannot determine, except by Opposer's own statements in its Notice, whether Opposer is associated with any of the goods Opposer identifies, or any particular source for such goods. Accordingly, Applicant objects to all questions which call for information about Opposer, its goods or services, its marketing, and all other aspects of Opposer's business. Further, Applicant is without knowledge or information sufficient to form a belief as to the truth of the statements set forth in these Requests if such statements call for information related to Opposer, its business, and its marks, and Applicant must therefor deny the truth of allegations calling for such information.

1 **RESPONSES**

2 REQUEST FOR ADMISSION NO. 1.

3 1. Admit that the mark in U.S. Registration No. 2,362,916 is not generic for the enumerated
4 goods/services.

5 RESPONSE TO REQUEST FOR ADMISSION NO. 1.

6 Applicant admits the mark in U.S. Registration No. 2,362,916 is not generic for the
7 enumerated goods/services, and also admits the mark in U.S. Registration No. 2,362,916 is not
8 distinctive for the enumerated goods/services.

9 REQUEST FOR ADMISSION NO. 2.

10 2. Admit that the mark in U.S. Registration No. 2,373,504 is not generic for the enumerated
11 goods/services.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 2.

13 Applicant admits the mark in U.S. Registration No. 2,373,504 is not generic for the
14 enumerated goods/services, and also admits the mark in U.S. Registration No. 2,373,504 is not
15 distinctive for the enumerated goods/services.

16 REQUEST FOR ADMISSION NO. 3.

17 3. Admit that the mark in U.S. Registration No. 2,373,505 is not generic for the enumerated
18 goods/services.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 3.

20 Applicant admits the mark in U.S. Registration No. 2,373,505 is not generic for the
21 enumerated goods/services, and also admits the mark in U.S. Registration No. 2,373,505 is not
22 distinctive for the enumerated goods/services.

23 REQUEST FOR ADMISSION NO. 4.

24 4. Admit that the mark in U.S. Registration No. 2,383,778 is not generic for the enumerated
25 goods/services.

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1 RESPONSE TO REQUEST FOR ADMISSION NO. 4.

2 Applicant admits the mark in U.S. Registration No. 2,383,778 is not generic for the
3 enumerated goods/services, and also admits the mark in U.S. Registration No. 2,383,778 is not
4 distinctive for the enumerated goods/services.

5 REQUEST FOR ADMISSION NO. 5.

6 5. Admit that the mark in U.S. Registration No. 2,365,074 is not generic for the enumerated
7 goods/services.

8 RESPONSE TO REQUEST FOR ADMISSION NO.5.

9 Applicant admits the mark in U.S. Registration No. 2,365,074 is not generic for the
10 enumerated goods/services, and also admits the mark in U.S. Registration No. 2,365,074 is not
11 distinctive for the enumerated goods/services.

12 REQUEST FOR ADMISSION NO. 6.

13 6. Admit that the mark in U.S. Registration No. 2,366,850 is not generic for the enumerated
14 goods/services.

15 RESPONSE TO REQUEST FOR ADMISSION NO. 6.

16 Applicant admits the mark in U.S. Registration No. 2,366,850 is not generic for the
17 enumerated goods/services, and also admits the mark in U.S. Registration No. 2,366,850 is not
18 distinctive for the enumerated goods/services.

19 REQUEST FOR ADMISSION NO. 7.

20 7. Admit that the mark in U.S. Registration No. 2,383,777 is not generic for the enumerated
21 goods/services.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 7.

23 Applicant admits the mark in U.S. Registration No. 2,383,777 is not generic for the
24 enumerated goods/services, and also admits the mark in U.S. Registration No. 2,383,777 is not
25 distinctive for the enumerated goods/services.

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1 REQUEST FOR ADMISSION NO. 8.

2 8. Admit that the mark in U.S. Registration No. 2,713,692 is not generic for the enumerated
3 goods/services.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 8.

5 Applicant admits the mark in U.S. Registration No. 2,713,692 is not generic for the
6 enumerated goods/services, and also admits the mark in U.S. Registration No. 2,713,692 is not
7 distinctive for the enumerated goods/services.

8 REQUEST FOR ADMISSION NO. 9.

9 9. Admit that the mark in U.S. Registration No. 3,330,353 is not generic for the enumerated
10 goods/services.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 9.

12 Admit the mark in U.S. Registration No. 3,330,353 is not generic for the enumerated
13 goods/services, and also admits the mark in U.S. Registration No. 3,330,353 is not distinctive for
14 the enumerated goods/services.

15 REQUEST FOR ADMISSION NO. 10.

16 10. Admit that services provided to businesses may be related to services provided to
17 consumers.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 10.

19 As the definition of consumer is often restricted to living persons (i.e. not corporations or
20 businesses) and excludes commercial users (see <http://en.wikipedia.org/wiki/Consumer>, under
21 the heading "In Law and Politics"), Applicant denies that services provided to businesses may be
22 related to services provided to consumers; "businesses" and "consumers" are separate markets.

23 REQUEST FOR ADMISSION NO. 11.

24 11. Admit marks used to provide services to businesses may be confusingly similar to marks
25 used to provide services to consumers, if the services so provided to businesses are
26 unrelated to the services so provided to consumers.

27 RESPONSE TO REQUEST FOR ADMISSION NO. 11.

28 Deny.

1 REQUEST FOR ADMISSION NO. 12.

2 12. Admit that Applicant contends that the word “connect” describes a quality, characteristic,
3 function, feature, purpose, or use of at least one of Applicant’s goods.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 12.

5 Deny.

6 REQUEST FOR ADMISSION NO. 13.

7 13. Admit that Applicant contends that the word “connect” describes a quality, characteristic,
8 function, feature, purpose, or use of at least one of Applicant’s services.

9 RESPONSE TO REQUEST FOR ADMISSION NO. 13.

10 Deny.

11 REQUEST FOR ADMISSION NO. 14.

12 14. Admit that businesses and consumers may be part of the same market.

13 RESPONSE TO REQUEST FOR ADMISSION NO. 14.

14 As the definition of consumer is often restricted to living persons (i.e. not corporations or
15 businesses) and excludes commercial users (see <http://en.wikipedia.org/wiki/Consumer>, under
16 the heading “In Law and Politics”), Applicant denies that businesses and consumers may be part
17 of the same market; “businesses” and “consumers” are separate markets.

18 REQUEST FOR ADMISSION NO. 15.

19 15. Admit that Applicant provides services to businesses.

20 RESPONSE TO REQUEST FOR ADMISSION NO. 15.

21 Applicant admits that Applicant provides some services to businesses only under the
22 name DigitalMojo, Inc, and the service mark DIGITALMOJO. Applicant admits it intends to
23 market its services to consumers under the mark CONNECT, and then provide services to
24 consumers, not business, under the mark CONNECT with the assistance of, in conjunctions with,
25 or in association with, other businesses to which Applicant has supplied services under the name
26 DigitalMojo, Inc, and the service mark DIGITALMOJO.

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1 REQUEST FOR ADMISSION NO. 16.

2 16. Admit that Applicant provides some of its services only to other businesses.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 16.

4 Applicant admits that Applicant provides some of its services only to other businesses only
5 under the name DigitalMojo, Inc, and the service mark DIGITALMOJO.

6 REQUEST FOR ADMISSION NO. 17.

7 17. Admit that Applicant contends that Applicant's Mark is merely descriptive.

8 RESPONSE TO REQUEST FOR ADMISSION NO. 17.

9 Deny.

10 REQUEST FOR ADMISSION NO. 18.

11 18. Admit that Applicant contends that Applicant's Mark is generic.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 18.

13 Deny.

14 REQUEST FOR ADMISSION NO. 19.

15 19. Admit that Applicant contends that Opposer's Mark is generic.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 19.

17 Deny.

18 REQUEST FOR ADMISSION NO. 20.

19 20. Admit that business marketing services may be a service provided to businesses.

20 RESPONSE TO REQUEST FOR ADMISSION NO. 20.

21 Subject to the following qualifications, Applicant admits that "business marketing services"
22 may be a service provided to businesses when "business marketing services" are supplied to "client"
23 businesses to assist such client businesses market their goods and services, and admit Applicant
24 intends to provide such "business marketing services" under the name DigitalMojo, Inc. as it markets
25 to consumers under the mark CONNECT. Applicant denies Applicant's "business marketing
26 services in the nature of agency representation of companies marketing a variety of services to home
27 owners and renters, namely, utility hook-ups, telecommunication services, home security services,
28 home warranties, home and yard maintenance, furniture and appliance rental," which services are

only to be directed to (i.e., marketed to) consumers on Applicant's web site under the mark CONNECT, may be a service(s) provided to businesses.

REQUEST FOR ADMISSION NO. 21.

21. Admit that comparative marketing services may be a service provided to businesses.

RESPONSE TO REQUEST FOR ADMISSION NO. 21.

Subject to the following qualifications, Applicant admits that "comparative marketing services" may be a service provided to businesses when "comparative marketing services" are supplied to "client" businesses to assist such client businesses choose vendors which market to businesses, and deny Applicant provides or intends to provide such "comparative marketing services" to businesses, as Applicant's "comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services; operation of telephone call centers for others" are intended to be provided, and can only be provided, under the mark CONNECT to consumers on Applicant's web site.

REQUEST FOR ADMISSION NO. 22.

22. Admit that advertising services may be a service provided to businesses.

RESPONSE TO REQUEST FOR ADMISSION NO. 22.

Subject to the following qualifications, Applicant admits that "advertising services" may be a service provided to businesses when "advertising services" are supplied to "client" businesses to assist such client businesses market their goods and services, and admit Applicant intends to provide such "advertising services" to businesses under the name DigitalMojo, Inc. as it markets to consumers under the mark CONNECT. Applicant denies Applicant's "advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services; operation of telephone call centers for others," which services are only to be directed to (i.e., marketed to) consumers on Applicant's web site under the mark CONNECT, may be a service(s) provided to businesses.

1 REQUEST FOR ADMISSION NO. 23.

2 23. Admit that marketing services may be a service provided to businesses.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 23.

4 Subject to the following qualifications, Applicant admits that “marketing services” may be a
5 service provided to businesses when “marketing services” are supplied to “client” businesses to
6 assist such client businesses market their goods and services, and admit Applicant intends to provide
7 such “marketing services” under the name DigitalMojo, Inc. as it markets to consumers under the
8 mark CONNECT. Applicant denies Applicant’s “business marketing services in the nature of
9 agency representation of companies marketing a variety of services to home owners and renters,
10 namely, utility hook-ups, telecommunication services, home security services, home warranties,
11 home and yard maintenance, furniture and appliance rental,” which services are only to be directed
12 to (i.e., marketed to) consumers on Applicant’s web site under the mark CONNECT, may be a
13 service(s) provided to businesses.

14 REQUEST FOR ADMISSION NO. 24.

15 24. Admit that information distribution services may be a service provided to businesses.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 24.

17 Subject to the following qualifications, Applicant admits that “information distribution
18 services” may be a service provided to businesses when “information distribution services” are
19 supplied to “client” businesses to assist such client businesses market their goods and services, and
20 admit Applicant intends to provide such “information distribution services” to businesses under the
21 name DigitalMojo, Inc. as it markets to consumers under the mark CONNECT. Applicant denies
22 Applicant’s “information distribution services, namely, providing classified advertising space via the
23 global computer network,” which services are only to be directed to (i.e., marketed to) consumers on
24 Applicant’s web site under the mark CONNECT, may be a service(s) provided to businesses.
25 However, Applicant admits that every human on Earth old enough to speak provides some kind of
26 “information distribution services,” as such humans discuss aspects of life on Earth, and Applicant
27 admits we can only productively think about services if we make distinctions between various kinds
28 of services just a bit finer than “information distribution services.”

1 RESPONSE TO REQUEST FOR ADMISSION NO. 20.

2 Subject to the following qualifications, Applicant admits that “business marketing services”
3 may be a service provided to businesses when “business marketing services” are supplied to “client”
4 businesses to assist such client businesses market their goods and services, and admit Applicant
5 intends to provide such “business marketing services” to businesses under the name DigitalMojo, Inc.
6 as it markets to consumers under the mark CONNECT. Applicant denies Applicant’s “business
7 marketing services in the nature of agency representation of companies marketing a variety of services
8 to home owners and renters, namely, utility hook-ups, telecommunication services, home security
9 services, home warranties, home and yard maintenance, furniture and appliance rental,” which
10 services are only to be directed to (i.e., marketed to) consumers on Applicant’s web site under the
11 mark CONNECT, may be a service(s) provided to businesses.

12 REQUEST FOR ADMISSION NO. 25.

13 25. Admit that promoting the goods of others may be a service provided to businesses.

14 RESPONSE TO REQUEST FOR ADMISSION NO. 25.

15 Subject to the following qualifications, Applicant admits that “promoting the goods of others”
16 may be a service provided to businesses when “promoting the goods of others” are supplied to
17 “client” businesses to assist such client businesses market their goods and services, and admit
18 Applicant intends to provide such “promoting the goods of others” to businesses under the name
19 DigitalMojo, Inc. as it markets to consumers under the mark CONNECT. Applicant denies
20 Applicant’s “promoting the goods and services of others over the Internet,” which services are only to
21 be directed to (i.e., marketed to) consumers on Applicant’s web site under the mark CONNECT, may
22 be a service(s) provided to businesses. However, Applicant admits that every human on Earth old
23 enough to speak provides some kind of “promoting the goods of others”, as such humans discuss
24 goods and services, and Applicant admits we can only productively think about services if we make
25 distinctions between various kinds of services just a bit finer than “promoting the goods of others.”

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1 REQUEST FOR ADMISSION NO. 26.

2 26. Admit that promoting the services of others may be a service provided to businesses.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 26.

4 Subject to the following qualifications, Applicant admits that "promoting the services of
5 others" may be a service provided to businesses when "promoting the services of others" are supplied
6 to "client" businesses to assist such client businesses market their goods and services, and admit
7 Applicant intends to provide such "promoting the services of others" to businesses under the name
8 DigitalMojo, Inc. as it markets to consumers under the mark CONNECT. Applicant denies
9 Applicant's "promoting the goods and services of others over the Internet," which services are only to
10 be directed to (i.e., marketed to) consumers on Applicant's web site under the mark CONNECT, may
11 be a service(s) provided to businesses. However, Applicant admits that every human on Earth old
12 enough to speak provides some kind of "promoting the services of others," as such humans discuss
13 goods and services, and Applicant admits we can only productively think about services if we make
14 distinctions between various kinds of services just a bit finer than "promoting the services of others."

15 REQUEST FOR ADMISSION NO. 27.

16 27. Admit that Opposer's Marks are famous within the meaning of 15 U.S.C. Section 1125.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 27.

18 Applicant denies Opposer's Marks are famous within the meaning of 15 U.S.C. Section
19 1125.

20 Date: June 13, 2011


Thomas W. Cook, Reg. No. 38,849
Attorney for Applicant
3030 Bridgeway, Suite 425-430
Sausalito, California 94965
Telephone: 415-339-8550

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PROOF OF SERVICE

I hereby declare:

I am over the age of 18 years, and am not a party to the within cause. I am employed in Sausalito, California.

My business address is 3030 Bridgeway, Suite 425-430, Sausalito, California. My mailing address is P.O. Box 1989, Sausalito, California.

On the date first written below, I served a true copy of the attached document entitled:

RESPONSES TO REQUEST FOR ADMISSIONS, SET TWO

by placing it in a sealed envelope and depositing it in the United States mail, first class postage fully prepaid, addressed to the following:

Clayton, Howarth & Cannon, P.C.
P. O. Box 1909
Sandy UT 84091-1909

Attention: Karl R. Cannon

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sausalito, California.

June 13, 2011



Kay Horne

EXHIBIT 19

Thomas W. Cook, Reg. No. 38,849
 3030 Bridgeway, Suite 425-430
 Sausalito, California 94965
 Telephone: 415-339-8550
 Email: tom@thomascooklaw.com
 Attorney for DigitalMojo, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Opposition No. 91196299 (Parent)

CONNECT PUBLIC RELATIONS, INC.
 Opposer,

v.

DIGITALMOJO, INC., Applicant

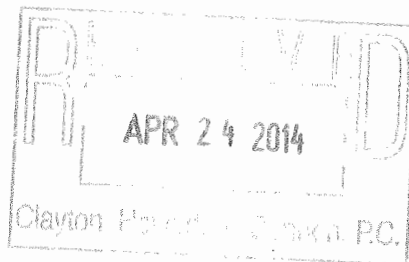
**APPLICANT'S RESPONSES TO
 OPPOSER'S THIRD SET OF
 REQUESTS FOR ADMISSION**

**Cancellation No. 92054395
 Cancellation No. 92054427**

DIGITALMOJO, INC.,
 Petitioner,

v.

CONNECT PUBLIC RELATIONS, INC.
 Respondent.



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1 PUBLIC RELATIONS and CONNECTPR, and those same specimens are attached to
2 OPPOSER'S THIRD SET OF REQUESTS FOR ADMISSION as Exhibit A.

3
4 REQUEST FOR ADMISSION NO. 2. Admit that the specimens of the Opposer's (Applicant
5 assumes) website appended to Applicant's Second amended Petition to Cancel, and attached
6 hereto as Exhibit A, includes the following statement: "We are expanding our brand. Today,
7 Connect Public Relations® becomes Connect MarketingSM. Don't think of this as a 'switch,' but
8 rather as an 'expansion.'"

9
10 RESPONSE TO REQUEST FOR ADMISSION NO. 2.

11 Applicant admits.

12
13 REQUEST FOR ADMISSION NO. 3. Admit that the specimens of the Opposer's website
14 appended to Applicant's Second Amended Petition to Cancel, and attached hereto as Exhibit A,
15 includes the following statement:

16 So, welcome to Connect MarketingSM. There are four parts of our new brand:
17 Connect StrategicSM is where we help our clients build effective messaging as
18 well as conduct primary research (focus groups and surveys.) Connect Public
19 Relations® is the continuation of the traditional PR activities we've pursued for
20 22 years. It is still our core. Connect SocialSM is where we focus on all things Web
21 2.0 - social media, social networking, social content and social reference. And
22 Connect StudiosSM is where we build meaningful, exciting, fun content-
23 infographs, websites, videos and so on.

24
25 RESPONSE TO REQUEST FOR ADMISSION NO. 3.

26 Applicant admits that the specimens of the Opposer's (Applicant assumes) website
27 appended to Applicant's Second Amended Petition to Cancel, and attached to OPPOSER'S
28 THIRD SET OF REQUESTS FOR ADMISSION as Exhibit A, includes the statement identified
in this Request for Admission, and that such statement does not contain the mark CONNECTPR,
registered with the USPTO under number 2366850.

1 REQUEST FOR ADMISSION NO. 4. Admit that the specimens of the Opposer's
2 website appended to Applicant's Second Amended Petition to Cancel, and attached hereto as
3 Exhibit A, includes the following graphic: (image not inserted)
4

5 RESPONSE TO REQUEST FOR ADMISSION NO. 4.

6 Applicant admits that the specimens of the Opposer's (Applicant assumes) website
7 appended to Applicant's Second Amended Petition to Cancel, and attached to OPPOSER'S
8 THIRD SET OF REQUESTS FOR ADMISSION as Exhibit A, includes the graphic embedded
9 in Opposer's Request for Admission No. 4 of OPPOSER'S THIRD SET OF REQUESTS FOR
10 ADMISSION, and that such graphic does not contain the mark CONNECTPR, registered with
11 the USPTO under number 2366850. Applicant does not embed the graphic referred to in this
12 Request for Admission because it does not have the facility for such embedding, and because it
13 no longer finds such graphic on Opposer's (Applicant assumes) website.
14

15 REQUEST FOR ADMISSION NO. 5. Admit that the specimens of the Opposer's website
16 appended to Applicant's Second Amended Petition to Cancel, and attached hereto as Exhibit A,
17 includes the following graphic that comprises one of the marks that Applicant contends is
18 abandoned, namely, Connect Public Relations®: (image not inserted)
19

20 RESPONSE TO REQUEST FOR ADMISSION NO.5.

21 Applicant admits that the specimens of the Opposer's website (Applicant assumes)
22 appended to Applicant's Second Amended Petition to Cancel, and attached to OPPOSER'S
23 THIRD SET OF REQUESTS FOR ADMISSION as Exhibit A, includes the graphic embedded
24 in Opposer's Request for Admission No. 5 of OPPOSER'S THIRD SET OF REQUESTS FOR
25 ADMISSION, and that such graphic appears to contain the words CONNECT and "Public
26 Relations" in close association, and that such words appear to create separate impressions, and
27 admits that the words "Public Relations," when viewed properly are merely descriptive of the
28 services offered under the mark CONNECT, much as "marketing", and "social" and "studios"

1 and strategic are all merely descriptive words which describe services offered by Opposer
2 (Applicant assumes) under the mark CONNECT, but denies the words CONNECT and “Public
3 Relations” in close association within such graphic comprises one of the marks that Applicant
4 contends is abandoned, namely, Connect Public Relations® because the words CONNECT and
5 “Public Relations” in close association in such graphic do not create a unitary commercial
6 impression, or any indication of source of “Public Relations” services beyond the mark
7 CONNECT. Applicant does not embed the graphic referred to in this Request for Admission
8 because it does not have the facility for such embedding, and because it no longer finds such
9 graphic on Opposer’s (Applicant assumes) website.

10
11 REQUEST FOR ADMISSION NO. 6. Admit that the specimens of the Opposer’s
12 website appended to Applicant’s Second Amended Petition to Cancel, and attached hereto as
13 Exhibit A, includes the following graphic that constitutes use in commerce by Opposer of the
14 Connect Public Relations® mark: (image not inserted)

15
16 RESPONSE TO REQUEST FOR ADMISSION NO. 6.

17 Applicant denies this request for admission, and Applicant does not embed the graphic referred
18 to in this Request for Admission because it does not have the facility for such embedding, and
19 because it no longer finds such graphic on Opposer’s (Applicant assumes) website.

20
21 REQUEST FOR ADMISSION NO. 7. Admit that the Opposer’s current website,
22 <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>,
23 that displays the Connect Public Relations® mark.

24
25 RESPONSE TO REQUEST FOR ADMISSION NO. 7.

26 Applicant admits that Applicant can, today, on the Internet, go to the website
27 <http://connectmarketing.com/>, and that website includes a webpage at
28 <http://connectmarketing.com/pr.asp> that displays the words “Connect Public Relations,” and

1 Applicant further admits that it can, today, on the Internet, go to the Internet Archive Wayback
2 Machine page to view that same <http://connectmarketing.com/pr.asp> location, and find that the
3 webpage <http://connectmarketing.com/pr.asp> appears to have been first captured by the Wayback
4 machine on August 29, 2011, seven days after Applicant filed its Petition to cancel the
5 registration of Opposer's registration of CONNECT PUBLIC RELATIONS on August 22, 2011
6 (see exhibit 1 attached).

7
8 REQUEST FOR ADMISSION NO. 8. Admit that the Opposer's current website,
9 <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>,
10 that displays the following text:

11 Do traditional media even matter anymore? According to our recent Media
12 Affinity Study - absolutely. Traditional media such as technology press, business
13 press and vertical press are one of the five key ways IT buyers learn about new
technology and research products.

14 Connect Public Relations has been working to get our clients stories told by
15 traditional media since 1989. Today we secure more than 25,000 articles each year
16 in the form of news stories, product reviews, contributed articles, thought
leadership stories and so on.

17 Whether it is working with editors, coordinating analysts or even placing your
18 spokespeople at speaking events, Connect Public Relations can help.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 8.

20 Applicant admits that Applicant can, today, on the Internet, go to the website
21 <http://connectmarketing.com/>, and that website includes a webpage at
22 <http://connectmarketing.com/pr.asp> that displays the text set forth by Opposer in its Request for
23 Admission No. 8, and Applicant further admits that it can, today, on the Internet, go to the
24 Internet Archive Wayback Machine page to view that same <http://connectmarketing.com/pr.asp>
25 location, and find that the webpage <http://connectmarketing.com/pr.asp> appears to have been first
26 captured by the Wayback machine on August 29, 2011, seven days after Applicant filed its
27 Petition to cancel the registration of Opposer's registration of CONNECT PUBLIC RELATIONS
28 on August 22, 2011.

1 REQUEST FOR ADMISSION NO. 9. [**** duplicate of No. 8]

2 Admit that the Opposer's current website, <http://connectmarketing.com/>,
3 includes a webpage, <http://connectmarketing.com/pr.asp>, that displays the following text:

4 Do traditional media even matter anymore? According to our recent Media
5 Affinity Study - absolutely. Traditional media such as technology press, business
6 press and vertical press are one of the five key ways IT buyers learn about new
technology and research products.

7 Connect Public Relations has been working to get our clients stories told by
8 traditional media since 1989. Today we secure more than 25,000 articles each year
9 in the form of news stories, product reviews, contributed articles, thought
leadership stories and so on.

10 Whether it is working with editors, coordinating analysts or even placing your
spokespeople at speaking events, Connect Public Relations can help.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 9.

12 Asked and answered in Applicant's response to Request for Admission No. 8.

13 REQUEST FOR ADMISSION NO. 10. Admit that the Opposer's current website,
14 <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that
15 displays Opposer's Connect Public Relations® mark in such a manner that constitutes use in
16 commerce by Opposer of its Connect Public Relations® mark.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 10.

19 Applicant admits that the website currently available at <http://connectmarketing.com/>,
20 includes a webpage, <http://connectmarketing.com/pr.asp>, that displays the words "Connect Public
21 Relations" in such a manner that constitutes use in commerce of "Connect Public Relations," and
22 Applicant further admits that it can, today, on the Internet, go to the Internet Archive Wayback
23 Machine page to view that same <http://connectmarketing.com/pr.asp> location, and find that the
24 webpage <http://connectmarketing.com/pr.asp> appears to have been first captured by the Wayback
25 machine on August 29, 2011, seven days after Applicant filed its Petition to cancel the
26 registration of Opposer's registration of CONNECT PUBLIC RELATIONS on August 22, 2011.
27
28

1 REQUEST FOR ADMISSION NO. 11. Admit that the Opposer's current website,
2 <http://connectmarketing.com/>, included a webpage, <http://connectmarketing.com/pr.asp>, that
3 displays the following text after clicking on the "Media Relations" link:

4 Do traditional media - magazines, newspapers, broadcast and so on - still matter?
5 After all, social media has become very important very quickly. However,
6 according to our Media Affinity Study, traditional media are still in the top five in
7 terms of how buyers learn about new products and services. It makes sense
8 because traditional media have a very broad reach and provide a level of
9 credibility and reliability that social media cannot yet match.

10 Outreach to traditional media builds brand awareness, establishes thought
11 leadership and communicates news about products and services. Taken as a
12 whole, these efforts provide a high level of visibility for your company.

13 Connect Public Relations® can help. We have deep experience and relationships
14 with the media contacts that matter. We know what they want, and need, and use
15 that to secure more than 25,000 placements for our clients, from news stories to
16 in-depth reviews and profiles.

17 For example, ConnectSM has helped Symantec establish its Internet Security
18 Threat Report (ISTR) as the industry's premier report on the Internet threat
19 landscape. In the 2013 report, with Connect's help, outreach around the ISTR
20 resulted in thousands of articles in outlets such as Associated Press, Reuters, Wall
21 Street Journal, Economic Times, and CIO.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 11.

23 Applicant admits that Applicant can, today, on the Internet, go to the website
24 <http://connectmarketing.com/>, and that website includes a webpage at
25 <http://connectmarketing.com/pr.asp> that displays the text set forth by Opposer in its Request for
26 Admission No. 11, and Applicant further admits that it can, today, on the Internet, go to the
27 Internet Archive Wayback Machine page to view that same <http://connectmarketing.com/pr.asp>
28 location, and find that the webpage <http://connectmarketing.com/pr.asp> appears to have been first
captured by the Wayback machine on August 29, 2011, seven days after Applicant filed its
Petition to cancel the registration of Opposer's registration of CONNECT PUBLIC RELATIONS
on August 22, 2011.

///

///

1 REQUEST FOR ADMISSION NO. 12 Admit that the Opposer's current website,
2 <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that
3 displays Opposer's ConnectPR® mark.
4

5 RESPONSE TO REQUEST FOR ADMISSION NO. 12.

6 Applicant admits that Applicant can, today, on the Internet, go to the website
7 <http://connectmarketing.com/>, and that website includes a webpage at
8 <http://connectmarketing.com/pr.asp> that displays the word "connectpr," and Applicant further
9 admits that it can, today, on the Internet, go to the Internet Archive Wayback Machine page to
10 view that same <http://connectmarketing.com/pr.asp> location, and find that the webpage
11 <http://connectmarketing.com/pr.asp> appears to have been first captured by the Wayback machine
12 on August 29, 2011, seven days after Applicant filed its Petition to cancel the registration of
13 Opposer's registration of CONNECT PR on August 22, 2011.
14

15 REQUEST FOR ADMISSION NO. 13. Admit that the Opposer's current website,
16 <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/pr.asp>, that
17 displays Opposer's ConnectPR® mark in such a manner to constitute use in commerce.
18

19 RESPONSE TO REQUEST FOR ADMISSION NO. 13.

20 Applicant admits that the website currently available at <http://connectmarketing.com/>,
21 includes a webpage, <http://connectmarketing.com/pr.asp>, that displays the word "ConnectPR" in
22 such a manner that constitutes use in commerce of "ConnectPR," and Applicant further admits
23 that it can, today, on the Internet, go to the Internet Archive Wayback Machine page to view that
24 same <http://connectmarketing.com/pr.asp> location, and find that the webpage
25 <http://connectmarketing.com/pr.asp> appears to have been first captured by the Wayback machine
26 on August 29, 2011, seven days after Applicant filed its Petition to cancel the registration of
27 Opposer's registration of CONNECT PUBLIC RELATIONS on August 22, 2011.
28 ///

1 REQUEST FOR ADMISSION NO. 14. Admit that the Opposer's current website,
2 <http://connectmarketing.com>, includes a webpage, <http://connectmarketing.com/about.asp>, that
3 displays the following text:

4 Connect Public Relations offers traditional PR services, including press releases
5 and media and analyst relations.
6

7 RESPONSE TO REQUEST FOR ADMISSION NO. 14.

8 Applicant admits that Applicant can, today, on the Internet, go to the website
9 <http://connectmarketing.com/>, and that website includes a webpage at
10 <http://connectmarketing.com/about.asp> that displays the text set forth by Opposer in its Request
11 for Admission No. 14, and Applicant further admits that it can, today, on the Internet, go to the
12 Internet Archive Wayback Machine page to view that same <http://connectmarketing.com/>
13 [about.asp](http://connectmarketing.com/about.asp) location, and find that the webpage <http://connectmarketing.com/about.asp> appears to
14 have been first captured by the Wayback machine on August 29, 2011, seven days after
15 Applicant filed its Petition to cancel the registration of Opposer's registration of CONNECT
16 PUBLIC RELATIONS on August 22, 2011 (see exhibit 2 attached).
17

18 REQUEST FOR ADMISSION NO. 15. Admit that the Opposer's current website,
19 <http://connectmarketing.com/>, includes a webpage, <http://connectmarketing.com/about.asp>, that
20 uses the Connect Public Relations® mark in such a manner that constitutes use of the mark in
21 commerce.
22

23 RESPONSE TO REQUEST FOR ADMISSION NO. 15.

24 Applicant admits that the website currently available at <http://connectmarketing.com/>,
25 includes a webpage, <http://connectmarketing.com/about.asp>, that displays the words "Connect
26 Public Relations" in such a manner that constitutes use in commerce of "Connect Public
27 Relations," and Applicant further admits that it can, today, on the Internet, go to the Internet
28 Archive Wayback Machine page to view that same <http://connectmarketing.com/about.asp>

1 location, and find that the webpage <http://connectmarketing.com/about.asp> appears to have been
2 first captured by the Wayback machine on August 29, 2011, seven days after Applicant filed its
3 Petition to cancel the registration of Opposer's registration of CONNECT PUBLIC RELATIONS
4 on August 22, 2011.

5
6 REQUEST FOR ADMISSION NO. 16. Admit that the Opposer's current website,
7 <http://connectmarketing.com>; includes a webpage, <http://connectmarketing.com/services.asp>, that
8 displays the following text:

9 SERVICES

10 Connect Public Relations® and Connect PR® provide the following services:

- 11 • Communications services, namely, delivery of messages by electronic
12 transmission;
- 13 • Marketing, namely, business marketing services; market research and
14 marketing consulting services; public and media relations services; sales
15 promotion services; marketing consultation services in the fields of
16 computer hardware and software; marketing consultation services in the
17 field of computer networks; marketing services, namely, designing online
marketing programs for social networking websites and business
networking website;
- Marketing and market research and consulting services; public and media
relations services and sales promotion services.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 16.

19 Applicant admits that Applicant can, today, on the Internet, go to the website
20 <http://connectmarketing.com/>, and that website includes a webpage at
21 <http://connectmarketing.com/services.asp> that displays the text set forth by Opposer in its
22 Request for Admission No. 16, and Applicant further admits that it can, today, on the Internet, go
23 to the Internet Archive Wayback Machine page to view that same [http://connectmarketing.com/](http://connectmarketing.com/services.asp)
24 [services.asp](http://connectmarketing.com/services.asp) location, and find that the webpage <http://connectmarketing.com/services.asp>
25 appears to have been first captured by the Wayback machine on May 3, 2013, almost two years
26 after Applicant filed its Petition to cancel the registration of Opposer's registrations of
27 CONNECT PUBLIC RELATIONS and CONNECTPR on August 22, 2011 (see exhibit 3
28 attached).

1 REQUEST FOR ADMISSION NO. 17. Admit that the text referred to in Request For
2 Admission No. 16, on the webpage, <http://connectmarketing.com/services.asp>, constitutes a use
3 in commerce of the marks Connect Public Relations® and Connect PR®.
4

5 RESPONSE TO REQUEST FOR ADMISSION NO. 17.

6 Applicant admits that the website currently available at <http://connectmarketing.com/>,
7 includes a webpage, <http://connectmarketing.com/services.asp>, that displays the words “Connect
8 Public Relations” and “connectpr” in such a manner that constitutes use in commerce of
9 “Connect Public Relations” and “connectpr,” and Applicant further admits that it can, today, on
10 the Internet, go to the Internet Archive Wayback Machine page to view that same
11 <http://connectmarketing.com/services.asp> location, and find that the webpage
12 <http://connectmarketing.com/services.asp> appears to have been first captured by the Wayback
13 machine on May 3, 2013, almost two years after Applicant filed its Petition to cancel the
14 registration of Opposer’s registrations of CONNECT PUBLIC RELATIONS and CONNECTPR
15 on August 22, 2011 (see exhibit 3 attached).
16

17 REQUEST FOR ADMISSION NO. 18. Admit that Opposer has not abandoned its Connect
18 Public Relations® mark.
19

20 RESPONSE TO REQUEST FOR ADMISSION NO. 18.

21 Applicant admits the mark CONNECT PUBLIC RELATIONS appears to be used on the
22 Internet, by someone, for the services identified in Opposer’s registration number 2373504, i.e.,
23 “Marketing and market research and consulting services; public and media relations services and
24 sales promotion services,” and only for such services. However, Applicant is without knowledge
25 related to Opposer, its business, and its marks, or information sufficient to determine, from the
26 Internet alone, or otherwise, whether it is Opposer which uses this mark, or for how long
27 Opposer has used this mark, or whether this mark was abandoned in favor of what appears to be
28 Opposer’s new mark CONNECT MARKETING, and Opposer has, since Applicant petitioned to

1 cancel CONNECT PUBLIC RELATIONS, reinstituted some use of this mark in an effort to
2 support Opposer's defense of uninterrupted use of this mark in these consolidated cases.

3
4 REQUEST FOR ADMISSION NO. 19. Admit that Opposer is still using its Connect Public
5 Relations® mark.

6
7 RESPONSE TO REQUEST FOR ADMISSION NO. 19.

8 Applicant admits the mark CONNECT PUBLIC RELATIONS appears to be used on the
9 Internet, by someone, for the services identified in Opposer's registration number 2373504, i.e.,
10 "Marketing and market research and consulting services; public and media relations services and
11 sales promotion services," and only for such services. However, Applicant is without knowledge
12 related to Opposer, its business, and its marks, or information sufficient to determine, from the
13 Internet alone, or otherwise, whether it is Opposer which uses this mark, or for how long
14 Opposer has used this mark, or whether this mark was abandoned in favor of what appears to be
15 Opposer's new mark CONNECT MARKETING, and Opposer has, since Applicant petitioned to
16 cancel CONNECT PUBLIC RELATIONS, reinstituted some use of this mark in an effort to
17 support Opposer's defense of uninterrupted use of this mark in these consolidated cases.

18
19 REQUEST FOR ADMISSION NO. 20. Admit that Opposer has not abandoned its ConnectPR®
20 mark.

21
22 RESPONSE TO REQUEST FOR ADMISSION NO. 20.

23 Applicant denies Opposer has not abandoned its ConnectPR® mark, and Applicant
24 admits that the various graphics Opposer has supplied in these requests for admissions support
25 Applicant's contention that the mark CONNECTPR has been abandoned by Opposer.

26
27 REQUEST FOR ADMISSION NO. 21. Admit that Opposer is still using its ConnectPR® mark
28 in commerce.

1 RESPONSE TO REQUEST FOR ADMISSION NO. 21.

2 Applicant denies Opposer is still using its mark CONNECTPR, and Applicant admits that
3 the various graphics Opposer has supplied in these requests for admissions support Applicant's
4 contention that the mark CONNECTPR has been abandoned by Opposer.

5
6 REQUEST FOR ADMISSION NO. 22. Admit that any alleged nonuse of the Connect Public
7 Relations® mark was excusable.

8
9 RESPONSE TO REQUEST FOR ADMISSION NO. 22.

10 Applicant admits the mark CONNECT PUBLIC RELATIONS appears to be used on the
11 Internet, by someone, for the services identified in Opposer's registration number 2373504, i.e.,
12 "Marketing and market research and consulting services; public and media relations services and
13 sales promotion services," and only for such services. However, Applicant is without knowledge
14 related to Opposer, its business, and its marks, or information sufficient to determine, from the
15 Internet alone, or otherwise, whether it is Opposer which uses this mark, or for how long
16 Opposer has used this mark, whether this mark was abandoned in favor of what appears to be
17 Opposer's new mark CONNECT MARKETING, and whether Opposer has, since Applicant
18 petitioned to cancel CONNECT PUBLIC RELATIONS, reinstituted some use of this mark in an
19 effort to support Opposer's defense of uninterrupted use of this mark in these consolidated cases,
20 or whether Opposer's abandonment of this mark may be excused, and so Applicant therefore
21 denies Opposer's nonuse of CONNECT PUBLIC RELATIONS was excusable.

22
23 REQUEST FOR ADMISSION NO. 23. Admit that all alleged nonuse of the ConnectPR® was
24 excusable.

25
26 RESPONSE TO REQUEST FOR ADMISSION NO. 23.

27 Applicant is without knowledge related to Opposer, its business, and its marks, or
28 information sufficient to determine, from the Internet alone, or otherwise, whether the mark

1 CONNECTPR was abandoned by Opposer in favor of what appears to be Opposer's new mark
2 CONNECT MARKETING, and whether Opposer has, since Applicant petitioned to cancel
3 CONNECTPR, attempted to reinstitute some use of this mark in an effort to support Opposer's
4 defense of uninterrupted use of this mark in these consolidated cases, or whether Opposer's
5 abandonment of this mark may be excused, and so Applicant therefore denies Opposer's nonuse
6 of CONNECTPR was excusable.

7
8 REQUEST FOR ADMISSION NO. 24. Admit that the Connect Public Relations® mark appears
9 on Opposer's current website <http://connectmarketing.com/>.

10
11 RESPONSE TO REQUEST FOR ADMISSION NO. 24.

12 Applicant admits the mark CONNECT PUBLIC RELATIONS appears to be used on the
13 Internet, by someone, for the services identified in Opposer's registration number 2373504, i.e.,
14 "Marketing and market research and consulting services; public and media relations services and
15 sales promotion services," and only for such services. However, Applicant is without knowledge
16 related to Opposer, its business, and its marks, or information sufficient to determine, from the
17 Internet alone, or otherwise, whether this mark appears on Opposer's current website, or if it does
18 appear on Opposer's current website, for how long Opposer has used this mark, whether this
19 mark was abandoned in favor of what appears to be Opposer's new mark CONNECT
20 MARKETING, and whether Opposer has, since Applicant petitioned to cancel CONNECT
21 PUBLIC RELATIONS, reinstituted some use of this mark in an effort to support Opposer's
22 defense of uninterrupted use of this mark in these consolidated cases.

23
24 REQUEST FOR ADMISSION NO. 25. Admit that the ConnectPR® mark appears on Opposer's
25 current website <http://connectmarketing.com/>.

26
27 RESPONSE TO REQUEST FOR ADMISSION NO. 25.

28 Applicant admits the mark CONNECTPR appears on the Internet, however Applicant

1 denies Opposer is still using its mark CONNECTPR, however Applicant also admits that the
2 various graphics Opposer has supplied in these requests for admissions support Applicant's
3 contention that the mark CONNECTPR has been abandoned by Opposer.

4
5 Date: April 21, 2014

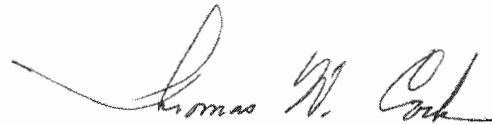


Thomas W. Cook, Reg. No. 38,849
Attorney for Applicant
3030 Bridgeway, Suite 425-430
Sausalito, California 94965
Telephone: 415-339-8550

6
7
8
9
10
11
12 **CERTIFICATE OF SERVICE**

13
14 I hereby certify that I have caused a true and correct copy of the OPPOSER'S THIRD
15 SET OF REQUESTS FOR ADMISSION to be served, via email, on this 21st day of April, 2014,
16 to:

17
18 Karl R. Cannon <Kcannon@chcpat.com>



20
21 Thomas W. Cook

1 **PROOF OF SERVICE**

2 I hereby declare:

3 I am over the age of 18 years, and am not a party to the within cause. I am employed in
4 Sausalito, California.

5 My business address is 3030 Bridgeway, Suite 425-430, Sausalito, California. My
6 mailing address is P.O. Box 1989, Sausalito, California.
7

8 On the date first written below, I served a true copy of the attached document entitled:

9 **APPLICANT'S RESPONSES TO OPPOSER'S**
10 **THIRD SET OF REQUESTS FOR ADMISSION**


11 by placing it in a sealed envelope and depositing it in the United States mail, first class postage
12 fully prepaid, addressed to the following:

13 Clayton, Howarth & Cannon, P.C.
14 P. O. Box 1909
Sandy UT 84091-1909

15 Attention: Karl R. Cannon

16 I declare under penalty of perjury that the foregoing is true and correct. Executed at
17 Sausalito, California.

18 April 21, 2014

19 
Kay Horne

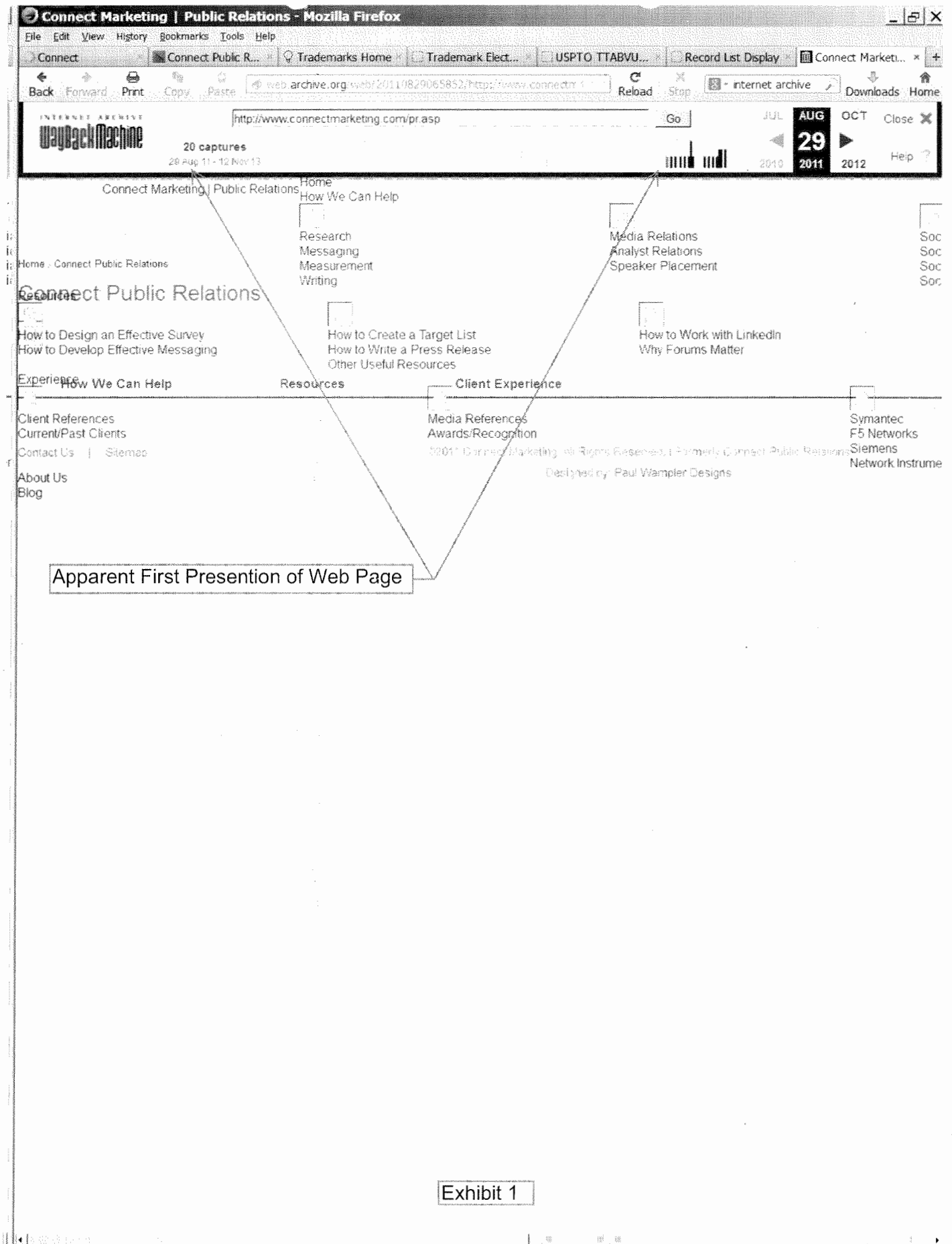


Exhibit 1

Connect Marketing | Public Relations - Mozilla Firefox

File Edit View History Bookmarks Tools Help

About Connect Mark... Trademarks Home Trademark Electronic... USPTO TTABVue. T... Record List Display Connect Marketing | ...

Back Forward Print Copy Paste web.archive.org/web/20110829063407/http://www.connectmarketing.com/about.asp Reload Stop Google Downloads Home

INTERNET ARCHIVE
waybackmachine
28 captures
29 Aug 11 - 12 Nov 13

Go JUL AUG 29 OCT Close X
2010 2011 2012 Help ?

Connect Marketing | Public Relations | Home | How We Can Help

Home - About Connect Marketing

About Connect Marketing

Resources

How to Design an Effective Survey
How to Develop Effective Messaging

Experience

Client References
Current/Past Clients

Facts and Information

About Us
Blog

Company Overview

Contact Us

Connect Marketing, Inc.
One Market Street
36th Floor
San Francisco, California 94105 USA
(415) 222-9691
(800) 455-8855
info@connectmarketing.com

Provo Office:
80 E 100 N
Provo, Utah 84606 USA
(801) 373-7888

Media Relations
Analyst Relations
Speaker Placement

Soc
Soc
Soc
Soc

How to Create a Target List
How to Write a Press Release
Other Useful Resources

Media References
Awards/Recognition

Symantec
F5 Networks
Siemens
Network Instrume

Careers

Career Opportunities

Why Choose Connect?

Apparent First Use Date;
no Presentation of
"ConnectPR"

Contact Us | Sitemap

©2011 Connect Marketing. All Rights Reserved. Formerly Connect Public Relations
Designed by Paul Wampler Designs

Exhibit 2

Connect Marketing | Public Relations - Mozilla Firefox

File Edit View History Bookmarks Tools Help

Services | Connect ... Trademarks Home Trademark Electronic... USPTO TTABVue. T... Record List Display Connect Marketing | ...

Back Forward Print Copy Paste web.archive.org/web/20130503170555/http://connectmarketing.com/services.asp Reload Stop Google Downloads Home

Wayback Machine

6 captures 2009 12 14 13 2012 2013 2014

Connect Marketing | Public Relations Home

Home Services

SERVICES

How to Design an Effective Survey
How to Develop Effective Messaging
How to Create a Target List
How to Write a Press Release
How to Work with LinkedIn
Why Forums Matter
How to Create an Effective Online Video
How to Create an Effective Infographic

CONNECTPR
Media Relations
Analyst Relations
Speaker Placement

Social Media
Social Networking
Social Content
Social Reference

Creative
Video & Web

• Communications services, namely, delivery of messages by electronic transmission

• Marketing, namely, business marketing services; market research and marketing consulting services; public and media relations services; sales promotion services; direct marketing consultation services in the field of computer hardware and software; marketing consultation services by means of computer networks; marketing services namely, designing online marketing programs for social networking websites and business networking website.

• Marketing and market research and consulting services; public and media relations services and sales promotion services.

Siemens

2009-05-03

Contact Us | Services | Stories

Follow Us

Apparent First Use Date

Exhibit 3

EXHIBIT 20

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Application Serial No. 77/714,693

Mark: CONNECT

CONNECT PUBLIC RELATIONS, INC., a
Utah corporation.

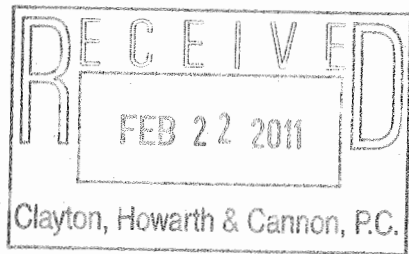
Opposer,

v.

DIGITALMOJO, INC., a California corporation

Applicant.

Opposition No. 91196299



RESPONSE TO INTERROGATORIES, SET ONE

Propounding Party: Opposer, Connect Public Relations, Inc.
Responding Party: Applicant, Digitalmojo, Inc.
Set Number: One

In accordance with Rule 33 of the Federal Rules of Civil Procedure ("FRCP"), Applicant Digitalmojo, Inc., responds to Opposer's Interrogatories, Set One (the "Interrogatories").

GENERAL OBJECTIONS

Applicant hereby generally objects to the Interrogatories, to the extent the interrogatories contained therein are overbroad, indefinite, vague, ambiguous, and unduly burdensome, and to the extent they seek information not likely to lead to the discovery of information relevant to this proceeding, or insofar as it purports to impose obligations that exceed those required under Rules 26 and 33, FRCP. Applicant further objects to the Interrogatories on the basis of attorney-client privilege where any Interrogatory could be construed to require the disclosure of communications between Applicant and its counsel, or the disclosure of attorney work product privileged matter. Applicant further objects to any interrogatory which calls for information or documents or

1 admissions which are known only by, or best by, Opposer, or which are in Opposer's possession
2 only or primarily in Opposer's possession.

3 Applicant responds to the Interrogatories solely on behalf of itself, and does not respond
4 for or bind any other company, person, or party. In submitting these responses, Applicant does
5 not waive any rights or objections which may otherwise be available, nor concede to relevance,
6 competence, materiality, lack of privilege, or admissibility in evidence of such responses. All
7 responses are provided herein, and are submitted as presently advised, and without prejudice to
8 Applicant's right to modify, amend, revise, correct, supplement, add to, or clarify such responses,
9 and Applicant reserves the right to produce subsequently discovered evidence and to introduce
10 such evidence at trial.

11 For purposes of these responses, Applicant assumes Opposer has correctly identified
12 itself, and that Opposer sells the goods or services set forth in Opposer's Notice of Opposition.
13 However, Applicant has no direct knowledge of Opposer, and Applicant cannot determine,
14 except by Opposer's own statements in it Notice, whether Opposer is associated with any
15 particular source for the goods Opposer identifies. Accordingly, Applicant objects to all
16 questions which call for information about Opposer, its' goods or services, its' marketing, and all
17 other aspects of Opposer's business.

18 19 **RESPONSES TO INTERROGATORIES**

20 INTERROGATORY NO. 1.

- 21 1. State the earliest date on which Applicant will rely in this proceeding to establish any
22 rights in such marks vis-a-vis Opposer, and state in detail the basis for Applicant's claim
23 of rights in said marks as of that date.

24 RESPONSE TO INTERROGATORY NO. 1.

25 No date; this is an intent to use application.

26 INTERROGATORY NO. 2.

- 27 2. Identify each product and/or service with which Applicant's Mark has been used, and with
28 respect to each such product and/or service identify:

- 1 (a) the period of time during which Applicant's Mark has been used with said product
2 and/or service (i.e., the date of Applicant's first sale of the product bearing
3 Applicant's mark to the date of Applicant's last sale);
- 4 (b) if the use was by a person other than Applicant, identify that person, and state in
5 detail the basis upon which Applicant claims such use inures, or will inure, to its
6 benefit;
- 7 (c) the sales, on an annual basis, in terms of dollar volume and units, of such product
8 and/or service from the date of first use of Applicant's mark in connection with
9 such product and/or service, through the present;
- 10 (d) each price charged and/or to be charged by and/or paid to Applicant for such
11 products and/or service; and
- 12 (e) each state in which such product and/or service has been sold under or in
13 connection with Applicant's mark.

14 RESPONSE TO INTERROGATORY NO. 2.

15 None; this is an intent to use application.

16 INTERROGATORY NO. 3.

- 17 3. Identify each survey, search or other investigation conducted and/or obtained with respect
18 to any of Opposer's Marks, Applicant's Mark, the term "connect" as used as a trademark
19 or part of a trademark.

20 RESPONSE TO INTERROGATORY NO. 3.

21 None.

22 INTERROGATORY NO. 4.

- 23 4. State the annual volume of advertising under and/or in connection with Applicant's Mark
24 in connection with the goods and services set forth in the opposed application for each
25 year since such advertising commenced.

26 RESPONSE TO INTERROGATORY NO. 4.

27 None.

28 ///

1 INTERROGATORY NO. 5.

2 5. Identify each medium in which Applicant's Mark has been or is intended to be used.

3 RESPONSE TO INTERROGATORY NO. 5.

4 The mark is intended to be used via the Internet for services described in the
5 identification of goods and services on application serial number 77/714,693.

6 INTERROGATORY NO. 6.

7 6. Identify all promotional activities under taken by Applicant in which the mark
8 CONNECT, or any variation thereof, has been used in connection with the goods and
9 services set forth in the opposed application for each year since such promotion
10 commenced.

11 RESPONSE TO INTERROGATORY NO. 6.

12 None.

13 INTERROGATORY NO. 7.

14 7. For each product and service in connection with which Applicant is using or intends to
15 use Applicant's Mark, identify, in detail, the channels of trade through which such
16 products and/or services have been or are intended to be sold and/or rendered.

17 RESPONSE TO INTERROGATORY NO. 7.

18 Applicant's products and services, as described in the identification of goods and services
19 in application serial number 77714693, are intended to be sold and/or rendered via the
20 Internet.

21 INTERROGATORY NO. 8.

22 8. Provide a general description of the type of customers to whom Applicant does or intends
23 to advertise, promote, and/or sell Applicant's products and/or services in connection with
24 Applicant's mark.

25 RESPONSE TO INTERROGATORY NO. 8.

26 All natural persons who wish to purchase the goods, or use the services, offered in
27 application, serial number 77714693, filed with the USPTO. Applicant does not intend to
28 serve businesses with these inherently personal goods and services, which are used by

1 individuals.

2 INTERROGATORY NO. 9.

3 9. Identify each assignment, license, consent, grant, or transfer of rights which concerns,
4 refers or relates to Applicant's Mark and/or any rights in connection with such marks.

5 RESPONSE TO INTERROGATORY NO. 9.

6 None

7 INTERROGATORY NO. 10.

8 10. Identify each person who participated in the selection, creation, and/or decision to adopt
9 and/or to use Applicant's Mark.

10 RESPONSE TO INTERROGATORY NO. 10.

11 Martin Smith, President, Digitalmojo, Inc.

12 INTERROGATORY NO. 11.

13 11. Identify all persons responsible, or that will be responsible, for advertising Applicant's
14 Mark and/or the goods/services sold or are intended to be sold under same.

15 RESPONSE TO INTERROGATORY NO. 11.

16 If Opposer means to determine the identity of persons that will be responsible for
17 advertising Applicant's *services under Applicant's* Mark, the answer is DigitalMojo, Inc.

18 INTERROGATORY NO. 12.

19 12. Identify the circumstances under which (including, but not limited to, the date) Applicant
20 first became aware of Opposer, including any of Opposer's Marks.

21 RESPONSE TO INTERROGATORY NO. 12.

22 Upon receipt of Opposer's First 90-Day Request for Extension of Time to Oppose.

23 INTERROGATORY NO. 13.

24 13. Prior to the institution of the instant proceeding, did Applicant ever consider Opposer
25 and/or Opposer's Marks with respect to and/or in connection with Applicant's Mark
26 and/or the products sold or to be sold under Applicant's Mark or otherwise in connection
27 with Applicant's business? If the response to this interrogatory is other than an
28 unqualified negative, state the date of such consideration, the action considered, and

1 identify each person involved in, and communication related to, such consideration.

2 RESPONSE TO INTERROGATORY NO. 13.

3 No.

4 INTERROGATORY NO. 14.

5 14. Is Applicant aware of any instance of confusion or mistake regarding it and Opposer, their
6 respective goods, services, or businesses, and/or Applicant's Mark and Opposer's Marks?

7 RESPONSE TO INTERROGATORY NO. 14.

8 No.

9 INTERROGATORY NO. 15

10 15. Identify each and every trademark or service mark of which Applicant is aware and which
11 Applicant contends is relevant to any of the claims and/or defenses in this proceeding,
12 including for each such mark, the dates of usage(s) of such mark, the goods/services sold
13 in connection with the mark, the identity of the party so using the mark, where (name and
14 address) these goods/services can be found in the marketplace, the identity of each
15 individual having knowledge of such use and whether that knowledge is personal
16 knowledge or information and belief.

17 RESPONSE TO INTERROGATORY NO. 15.

18 Applicant objects to this interrogatory to the extent it asks for information which is not
19 relevant, and not likely to lead to admissible evidence. Applicant further objects to this
20 interrogatory because it is burdensome. However, to advance this discovery Applicant
21 has, before and since the filing of the Notice of Opposition, reviewed the USPTO web
22 site and found many CONNECT marks which offer similar goods and services, and many
23 marks which contain the word "connect" which offer similar goods and services. Some
24 of this information, which is available to Opposer as it is to Applicant, Applicant will, to
25 the extent it is relevant (the "mark" and "owner" information is relevant, at least, while
26 the dates of usage(s) of such prior marks, the name and address of the registrants, where
27 the goods/services can be found in the marketplace, and the identity of individuals having
28 knowledge of such use, are all not relevant, and not likely to lead to admissible evidence),

1 introduce into evidence at the appropriate time. In the meantime, Applicant recommends
2 Opposer perform a search at www.uspto.gov. The search Applicant recommends is a
3 search for marks which contain the word “connect,” which marks identify any of the
4 services found in either Applicants identification of services, or found in any of
5 Opposer’s registrations (since Opposes contends that all Applicant’s services are
6 “related” to Opposer’s services, as identified, all services found in either Applicants
7 identification of services, or found in any of Opposer’s registrations, may be used to
8 determine which, and how many, “connect” marks are relevant to the question of which
9 of Applicant’s services are “related” to Opposer’s services). To accomplish this, Opposer
10 may type “connect\$” into one search field, and indicate it will be searching for “non-
11 punctuated wordmark.” It may then type each of the services found in Applicant’s
12 application and Opposer’s registrations into a second search field, and indicate it will be
13 searching for “goods and services.”

14 INTERROGATORY NO. 16.

15 16. Identify each objection, complaint, lawsuit, opposition, cancellation and other inter partes
16 proceeding involving and/or with respect to, and/or in which Applicant asserted any
17 rights in, Applicant's Mark.

18 RESPONSE TO INTERROGATORY NO. 16.

19 Opposition No. 91195476

20 INTERROGATORY NO. 17.

21 17. State in detail each fact and all information (including, but not limited to, each witness
22 with personal knowledge of same) which evidences or supports Applicant's denials to the
23 Notice of Opposition as stated in Applicant's Answer filed in this proceeding.

24 RESPONSE TO INTERROGATORY NO. 17.

25 As a matter of law, procedure, and logic, Opposer’s task in this opposition is to establish
26 “fact” and “information” sufficient to prove its case. Applicant’s “denials” contained
27 within the Notice of Opposition are generally merely the negation of such “fact” and
28 “information.” Applicant therefore need not, and as a matter of logic cannot, state “fact”

1 and "information" which "evidences or supports Applicant's denials to the Notice of
2 Opposition as stated in Applicant's Answer filed in this proceeding," except for the "fact"
3 that Applicant has no information about Opposer's allegations. This Applicant has, as
4 appropriate to any single allegation, done. Since Applicant has no "facts" or
5 "information" which evidence or support its denials, Applicant likewise also has no
6 witness with personal knowledge of such (non) facts.

7 INTERROGATORY NO. 18.

8 18. State in detail each fact and all information (including, but not limited to, each witness
9 with personal knowledge of same) which evidences or supports Applicant's Affirmative
10 Defenses to the Notice of Opposition as stated in Applicant's Answer filed in this
11 proceeding.

12 RESPONSE TO INTERROGATORY NO. 18.

13 Applicant's affirmative defenses relate to acts or omissions of Opposer. Accordingly,
14 Applicant will determine the facts and information Opposer requests as (and if, and to the
15 extent) Opposer responds to Applicant's discovery requests. Likewise, Applicant will
16 determine the identity of each witness with personal knowledge of the same in the same
17 manner, on the same schedule, and under the same conditions.

18 INTERROGATORY NO. 19.

19 19. Identify each person who furnished any information on which any part of an answer to
20 these interrogatories is based, indicating the parts based on information so furnished by
21 such person, and whether such information is within the personal knowledge of such
22 person, and if not within such personal knowledge, identify the source of the information
23 so furnished.

24 RESPONSE TO INTERROGATORY NO. 19.

25 Martin Smith, President, Digitalmojo, Inc.; all parts; personal knowledge or information
26 and belief as indicated.

27 INTERROGATORY NO. 20.

28 20. Identify each expert witness who has been consulted and/or who may be called by

Applicant to testify in this proceeding.

RESPONSE TO INTERROGATORY NO. 20.

None.

INTERROGATORY NO.21.

21. Identify each person whom Applicant has consulted with respect to the Answer to Notice of Opposition herein and/or with respect to the possibility of testifying herein, and for each, summarize the information such person has regarding the Applicant's claims and/or this Opposition.

RESPONSE TO INTERROGATORY NO. 21.

- i. Martin Smith, President, DigitalMojo, Inc.; all information about DigitalMojo, Inc.
- ii. Thomas Cook, attorney for Applicant, all of which consultations are subject to the attorney-client privilege.

Date: February 16, 2011



Thomas W. Cook, Reg. No. 38,849
Attorney for Applicant
3030 Bridgeway, Suite 425-430
Sausalito, California 94965
Telephone: 415-339-8550

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PROOF OF SERVICE

I hereby declare:

I am over the age of 18 years, and am not a party to the within cause. I am employed in Sausalito, California.

My business address is 3030 Bridgeway, Suite 425-430, Sausalito, California. My mailing address is P.O. Box 1989, Sausalito, California.

On the date first written below, I served a true copy of the attached document entitled:

RESPONSES TO INTERROGATORIES, SET ONE

by placing it in a sealed envelope and depositing it in the United States mail, first class postage fully prepaid, addressed to the following:

Clayton, Howarth & Cannon, P.C.
P. O. Box 1909
Sandy UT 84091-1909

Attention: Karl R. Cannon

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sausalito, California.

February 17, 2011



Kay Horne

EXHIBIT 21

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
2 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

3 In the Matter of Trademark Application Serial No. 77/714,693

4 Mark: CONNECT

5 CONNECT PUBLIC RELATIONS, INC., a
6 Utah corporation.

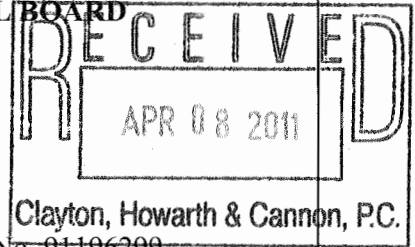
7 Opposer,

8 v.

9 DIGITALMOJO, INC., a California corporation

10 Applicant.
11

Opposition No. 91196299



12 **APPLICANT'S SUPPLEMENTAL RESPONSE TO**
13 **INTERROGATORIES FROM OPPOSER, SET ONE**

14 Propounding Party: Opposer, Connect Public Relations, Inc.
15 Responding Party: Applicant, Digitalmojo, Inc.
16 Set Number: One

17 In accordance with Rule 33 of the Federal Rules of Civil Procedure
18 ("FRCP"), Applicant Digitalmojo, Inc., responds to Opposer's Interrogatories, Set One (the
19 "Interrogatories").

20 **GENERAL OBJECTIONS**

21 Applicant hereby generally objects to the Interrogatories, to the extent the interrogatories
22 contained therein are overbroad, indefinite, vague, ambiguous, and unduly burdensome, and to the
23 extent they seek information not likely to lead to the discovery of information relevant to this
24 proceeding, or insofar as it purports to impose obligations that exceed those required under Rules
25 26 and 33, FRCP. Applicant further objects to the Interrogatories on the basis of attorney-client
26 privilege where any Interrogatory could be construed to require the disclosure of communications
27 between Applicant and its counsel, or the disclosure of attorney work product privileged matter.
28 Applicant further objects to any interrogatory which calls for information or documents or

1 admissions which are known only by, or best by, Opposer, or which are in Opposer's possession
2 only or primarily in Opposer's possession.

3 Applicant responds to the Interrogatories solely on behalf of itself, and does not respond
4 for or bind any other company, person, or party. In submitting these responses, Applicant does
5 not waive any rights or objections which may otherwise be available, nor concede to relevance,
6 competence, materiality, lack of privilege, or admissibility in evidence of such responses. All
7 responses are provided herein, and are submitted as presently advised, and without prejudice to
8 Applicant's right to modify, amend, revise, correct, supplement, add to, or clarify such responses,
9 and Applicant reserves the right to produce subsequently discovered evidence and to introduce
10 such evidence at trial.

11 For purposes of these responses, Applicant assumes Opposer has correctly identified
12 itself, and that Opposer sells the goods or services set forth in Opposer's Notice of Opposition.
13 However, Applicant has no direct knowledge of Opposer, and Applicant cannot determine, except
14 by Opposer's own statements in its Notice, whether Opposer is associated with any particular
15 source for the goods Opposer identifies. Accordingly, Applicant objects to all questions which
16 call for information about Opposer, its' goods or services, its' marketing, and all other aspects of
17 Opposer's business.

18 **SUPPLEMENTAL RESPONSES TO INTERROGATORIES, SET ONE**

19 Initially, the rule requiring signatures on interrogatories is 33(b)(2). This supplemental
20 response has been verified by the president of Applicant company, Digitalmojo, Inc., Martin
21 Smith.

22 INTERROGATORY NO. 1.

23 1. State the earliest date on which Applicant will rely in this proceeding to establish any
24 rights in such marks vis-a-vis Opposer, and state in detail the basis for Applicant's claim of
25 rights in said marks as of that date.

26 RESPONSE TO INTERROGATORY NO. 1.

27 No date; this is an intent to use application.

28 ///

1 INTERROGATORY NO. 2.

2 2. Identify each product and/or service with which Applicant's Mark has been used, and with
3 respect to each such product and/or service identify:

- 4 (a) the period of time during which Applicant's Mark has been used with said product
5 and/or service (i.e., the date of Applicant's first sale of the product bearing
6 Applicant's mark to the date of Applicant's last sale);
- 7 (b) if the use was by a person other than Applicant, identify that person, and state in
8 detail the basis upon which Applicant claims such use inures, or will inure, to its
9 benefit;
- 10 (c) the sales, on an annual basis, in terms of dollar volume and units, of such product
11 and/or service from the date of first use of Applicant's mark in connection with
12 such product and/or service, through the present;
- 13 (d) each price charged and/or to be charged by and/or paid to Applicant for such
14 products and/or service; and
- 15 (e) each state in which such product and/or service has been sold under or in
16 connection with Applicant's mark.

17 RESPONSE TO INTERROGATORY NO. 2.

18 None; this is an intent to use application.

19 INTERROGATORY NO. 3.

20 3. Identify each survey, search or other investigation conducted and/or obtained with respect
21 to any of Opposer's Marks, Applicant's Mark, the term "connect" as used as a trademark
22 or part of a trademark.

23 RESPONSE TO INTERROGATORY NO. 3.

24 None.

25 SUPPLEMENTAL RESPONSE TO NO. 3

26 *No survey, search or other investigation was conducted and/or obtained with respect to*
27 *any of Opposer's Marks, Applicant's Mark, the term "connect" as used as a trademark*
28 *or part of a trademark, except for a simple preliminary search of the USPTO records for*

1 marks containing the word "connect," simple followup searches to confirm such
2 preliminary search in fact turns up thousands of results and, most lately, a search for
3 certificates of registration for such marks. While (and because) these preliminary
4 searches turned up thousands of results, these searches were not recorded or reduced to
5 writing. The search for certificates of registration was conducted about a week ago, and
6 Applicant now presents Opposer with copies of such certificates of registration.

7 INTERROGATORY NO. 4.

8 4. State the annual volume of advertising under and/or in connection with Applicant's Mark
9 in connection with the goods and services set forth in the opposed application for each
10 year since such advertising commenced.

11 RESPONSE TO INTERROGATORY NO. 4.

12 None.

13 INTERROGATORY NO. 5.

14 5. Identify each medium in which Applicant's Mark has been or is intended to be used.

15 RESPONSE TO INTERROGATORY NO. 5.

16 The mark is intended to be used via the Internet for services described in the identification
17 of goods and services on application serial number 77/714,693.

18 INTERROGATORY NO. 6.

19 6. Identify all promotional activities under taken by Applicant in which the mark CONNECT,
20 or any variation thereof, has been used in connection with the goods and services set forth
21 in the opposed application for each year since such promotion commenced.

22 RESPONSE TO INTERROGATORY NO. 6.

23 None.

24 INTERROGATORY NO. 7.

25 7. For each product and service in connection with which Applicant is using or intends to use
26 Applicant's Mark, identify, in detail, the channels of trade through which such products
27 and/or services have been or are intended to be sold and/or rendered.

28 ///

1 RESPONSE TO INTERROGATORY NO. 7.

2 Applicant's products and services, as described in the identification of goods and services
3 in application serial number 77714693, are intended to be sold and/or rendered via the
4 Internet.

5 INTERROGATORY NO. 8.

6 8. Provide a general description of the type of customers to whom Applicant does or intends
7 to advertise, promote, and/or sell Applicant's products and/or services in connection with
8 Applicant's mark.

9 RESPONSE TO INTERROGATORY NO. 8.

10 All natural persons who wish to purchase the goods, or use the services, offered in
11 application, serial number 77714693, filed with the USPTO. Applicant does not intend to
12 serve businesses with these inherently personal goods and services, which are used by
13 individuals.

14 INTERROGATORY NO. 9.

15 9. Identify each assignment, license, consent, grant, or transfer of rights which concerns,
16 refers or relates to Applicant's Mark and/or any rights in connection with such marks.

17 RESPONSE TO INTERROGATORY NO. 9.

18 None

19 INTERROGATORY NO. 10.

20 10. Identify each person who participated in the selection, creation, and/or decision to adopt
21 and/or to use Applicant's Mark.

22 RESPONSE TO INTERROGATORY NO. 10.

23 Martin Smith, President, Digitalmojo, Inc.

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1 INTERROGATORY NO. 11.

2 11. Identify all persons responsible, or that will be responsible, for advertising Applicant's
3 Mark and/or the goods/services sold or are intended to be sold under same.

4 RESPONSE TO INTERROGATORY NO. 11.

5 If Opposer means to determine the identity of persons that will be responsible for
6 advertising Applicant's *services under Applicant's* Mark, the answer is DigitalMojo, Inc.

7 SUPPLEMENTAL RESPONSE TO NO. 11:

8 *The term "persons" appears to have been interpreted by the U.S. Supreme Court to*
9 *include corporations, at least for purposes of granting rights to freedom of speech, and*
10 *Applicant will be responsible for advertising. However, we take it from the nature of the*
11 *objection that Opposer means to ask about "natural persons." Applicant will delegate*
12 *its responsibility in this regard to a "natural person" (or persons), however no "natural*
13 *persons" have yet been assigned the responsibility for advertising Applicant's services*
14 *under Applicant's mark.*

15 INTERROGATORY NO. 12.

16 12. Identify the circumstances under which (including, but not limited to, the date) Applicant
17 first became aware of Opposer, including any of Opposer's Marks.

18 RESPONSE TO INTERROGATORY NO. 12.

19 Upon receipt of Opposer's First 90-Day Request for Extension of Time to Oppose.

20 SUPPLEMENTAL RESPONSE TO NO. 12:

21 *Applicant understands as a matter of logic that Opposer's Marks were likely observed, in*
22 *passing, at least as part of a group when search results are produced in list form at the*
23 *USPTO, and Applicant assumes as much. However, because of the large number of such*
24 *registrations and applications, Opposer's Marks do not stand out in the memory of*
25 *Applicant and, as noted herein, these preliminary searches were not documented.*

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1 INTERROGATORY NO. 13.

2 13. Prior to the institution of the instant proceeding, did Applicant ever consider Opposer
3 and/or Opposer's Marks with respect to and/or in connection with Applicant's Mark
4 and/or the products sold or to be sold under Applicant's Mark or otherwise in connection
5 with Applicant's business? If the response to this interrogatory is other than an
6 unqualified negative, state the date of such consideration, the action considered, and
7 identify each person involved in, and communication related to, such consideration.

8 RESPONSE TO INTERROGATORY NO. 13.

9 No.

10 SUPPLEMENTAL RESPONSE TO NO. 13:

11 *Although Opposer's Marks were likely observed, at least as part of a group when*
12 *preliminary search results are produced in list form at the USPTO, because of the large*
13 *number of such registrations and applications, Opposer's Marks were not "considered"*
14 *in the sense of individually noted. And since Opposer's Marks were not so noted,*
15 *Opposer's Marks were also not considered "with respect to and/or in connection with*
16 *Applicant's Mark and/or the products sold or to be sold under Applicant's Mark or*
17 *otherwise in connection with Applicant's business.*

18 INTERROGATORY NO. 14.

19 14. Is Applicant aware of any instance of confusion or mistake regarding it and Opposer, their
20 respective goods, services, or businesses, and/or Applicant's Mark and Opposer's Marks?

21 RESPONSE TO INTERROGATORY NO. 14.

22 No.

23 INTERROGATORY NO. 15

24 15. Identify each and every trademark or service mark of which Applicant is aware and which
25 Applicant contends is relevant to any of the claims and/or defenses in this proceeding,
26 including for each such mark, the dates of usage(s) of such mark, the goods/services sold
27 in connection with the mark, the identity of the party so using the mark, where (name and
28 address) these goods/services can be found in the marketplace, the identity of each

1 individual having knowledge of such use and whether that knowledge is personal
2 knowledge or information and belief.

3 RESPONSE TO INTERROGATORY NO. 15.

4 Applicant objects to this interrogatory to the extent it asks for information which is not
5 relevant, and not likely to lead to admissible evidence. Applicant further objects to this
6 interrogatory because it is burdensome. However, to advance this discovery Applicant
7 has, before and since the filing of the Notice of Opposition, reviewed the USPTO web site
8 and found many CONNECT marks which offer similar goods and services, and many
9 marks which contain the word "connect" which offer similar goods and services. Some of
10 this information, which is available to Opposer as it is to Applicant, Applicant will, to the
11 extent is its relevant (the "mark" and "owner" information is relevant, at least, while the
12 dates of usage(s) of such prior marks, the name and address of the registrants, where the
13 goods/services can be found in the marketplace, and the identity of individuals having
14 knowledge of such use, are all not relevant, and not likely to lead to admissible evidence),
15 introduce into evidence at the appropriate time. In the meantime, Applicant recommends
16 Opposer perform a search at www.uspto.gov. The search Applicant recommends is a
17 search for marks which contain the word "connect," which marks identify any of the
18 services found in either Applicants identification of services, or found in any of Opposer's
19 registrations (since Opposes contends that all Applicant's services are "related" to
20 Opposer's services, as identified, all services found in either Applicants identification of
21 services, or found in any of Opposer's registrations, may be used to determine which, and
22 how many, "connect" marks are relevant to the question of which of Applicant's services
23 are "related" to Opposer's services). To accomplish this, Opposer may type "connect\$"
24 into one search field, and indicate it will be searching for "non-punctuated wordmark." It
25 may then type each of the services found in Applicant's application and Opposer's
26 registrations into a second search field, and indicate it will be searching for "goods and
27 services."

28 ///

1 SUPPLEMENTAL RESPONSE TO NO. 15:

2 *Applicant reiterates its objections. The interrogatory clearly is burdensome. However,*
3 *to advance discovery Applicant provides herewith numerous and sufficient documents*
4 *which identify some marks Applicant considers relevant to its decision to file the*
5 *application which is the subject of this Opposition, and which are relevant to the claims*
6 *and/or defenses in this proceeding. Such documents also include for each such mark, the*
7 *dates of usage(s) of such mark, the goods/services sold in connection with the mark, the*
8 *identity of the party so using the mark.*

9 INTERROGATORY NO. 16.

10 16. Identify each objection, complaint, lawsuit, opposition, cancellation and other inter partes
11 proceeding involving and/or with respect to, and/or in which Applicant asserted any rights
12 in, Applicant's Mark.

13 RESPONSE TO INTERROGATORY NO. 16.

14 Opposition No. 91195476

15 INTERROGATORY NO. 17.

16 17. State in detail each fact and all information (including, but not limited to, each witness
17 with personal knowledge of same) which evidences or supports Applicant's denials to the
18 Notice of Opposition as stated in Applicant's Answer filed in this proceeding.

19 RESPONSE TO INTERROGATORY NO. 17.

20 As a matter of law, procedure, and logic, Opposer's task in this opposition is to establish "fact"
21 and "information" sufficient to prove its case. Applicant's "denials" contained within the Notice
22 of Opposition are generally merely the negation of such "fact" and "information." Applicant
23 therefore need not, and as a matter of logic cannot, state "fact" and "information" which
24 "evidences or supports Applicant's denials to the Notice of Opposition as stated in Applicant's
25 Answer filed in this proceeding," except for the "fact" that Applicant has no information about
26 Opposer's allegations. This Applicant has, as appropriate to any single allegation, done. Since
27 Applicant has no "facts" or "information" which evidence or support its denials, Applicant
28 likewise also has no witness with personal knowledge of such (non) facts.

1 INTERROGATORY NO. 18.

2 18. State in detail each fact and all information (including, but not limited to, each witness with
3 personal knowledge of same) which evidences or supports Applicant's Affirmative
4 Defenses to the Notice of Opposition as stated in Applicant's Answer filed in this
5 proceeding.

6 RESPONSE TO INTERROGATORY NO. 18.

7 Applicant's affirmative defenses relate to acts or omissions of Opposer. Accordingly,
8 Applicant will determine the facts and information Opposer requests as (and if, and to the
9 extent) Opposer responds to Applicant's discovery requests. Likewise, Applicant will
10 determine the identity of each witness with personal knowledge of the same in the same
11 manner, on the same schedule, and under the same conditions.

12 INTERROGATORY NO. 19.

13 19. Identify each person who furnished any information on which any part of an answer to
14 these interrogatories is based, indicating the parts based on information so furnished by
15 such person, and whether such information is within the personal knowledge of such
16 person, and if not within such personal knowledge, identify the source of the information so
17 furnished.

18 RESPONSE TO INTERROGATORY NO. 19.

19 Martin Smith, President, Digitalmojo, Inc.; all parts; personal knowledge or information
20 and belief as indicated.

21 INTERROGATORY NO. 20.

22 20. Identify each expert witness who has been consulted and/or who may be called by
23 Applicant to testify in this proceeding.

24 RESPONSE TO INTERROGATORY NO. 20.

25 None.

26 ///

27 ///

28 ///

1 INTERROGATORY NO.21.


2 21. Identify each person whom Applicant has consulted with respect to the Answer to Notice
3 of Opposition herein and/or with respect to the possibility of testifying herein, and for each,
4 summarize the information such person has regarding the Applicant's claims and/or this
5 Opposition.

6 RESPONSE TO INTERROGATORY NO. 21.

- 7 i. Martin Smith, President, DigitalMojo, Inc.; all information about DigitalMojo, Inc.
8 ii. Thomas Cook, attorney for Applicant, all of which consultations are subject to the
9 attorney-client privilege.

10
11 Respectfully submitted, as to the objections contained herein, pursuant to Rule 33 of the
12 Federal Rules of Civil Procedure, and Section 405.04(c) of the Trademark Trial and Appeal Board
13 Manual of Procedure.

14
15 Dated: April 6, 2011



Thomas W. Cook
Attorney for Applicant
Digitalmojo, Inc.

1
2 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, and Section 405.04(c) of the
3 Trademark Trial and appeal Board Manual of Procedure, the undersigned hereby answers for the
4 Applicant, a corporation, the above interrogatories, to the best of the knowledge available to
5 Applicant at the present time.
6



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8 Martin Smith, President
9 Digitalmojo, Inc.
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2 **PROOF OF SERVICE**

3 I hereby declare:

4 I am over the age of 18 years, and am not a party to the within cause. I am employed in
5 Sausalito, California.

6 My business address is 3030 Bridgeway, Suite 425-430, Sausalito, California. My
7 mailing address is P.O. Box 1989, Sausalito, California.

8 On the date first written below, I served a true copy of the attached document entitled:

9
10 **APPLICANT'S SUPPLEMENTAL RESPONSE TO**
11 **INTERROGATORIES FROM OPPOSER, SET ONE**

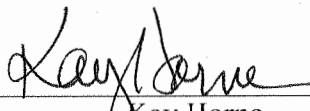
12 by placing it in a sealed envelope and depositing it in the United States mail, first class postage
13 fully prepaid, addressed to the following:

14 Clayton, Howarth & Cannon, P.C.
15 P. O. Box 1909
16 Sandy UT 84091-1909

17 Attention: Karl R. Cannon

18 I declare under penalty of perjury that the foregoing is true and correct. Executed at
19 Sausalito, California.

20
21 April 6, 2011



Kay Horne

EXHIBIT 22

T/2012.11

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
2 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

3 In the Matter of Trademark Application Serial No. 77/714,693

4 Mark: CONNECT

5 CONNECT PUBLIC RELATIONS, INC., a
6 Utah corporation.

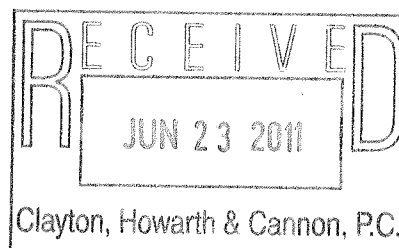
7 Opposer,

8 v.

9 DIGITALMOJO, INC., a California corporation

10 Applicant.
11

Opposition No. 91196299



12
13 **RESPONSE TO INTERROGATORIES, SET TWO**

14 Propounding Party: Opposer, Connect Public Relations, Inc.

15 Responding Party: Applicant, Digitalmojo, Inc.

16 Set Number: Two

17 In accordance with Rule 33 of the Federal Rules of Civil Procedure
18 ("FRCP"), Applicant Digitalmojo, Inc., responds to Opposer's Interrogatories, Set Two (the
19 "Interrogatories").

20 **GENERAL OBJECTIONS**

21 Applicant hereby generally objects to the Interrogatories, to the extent the interrogatories
22 contained therein are overbroad, indefinite, vague, ambiguous, and unduly burdensome, and to the
23 extent they seek information not likely to lead to the discovery of information relevant to this
24 proceeding, or insofar as it purports to impose obligations that exceed those required under Rules 26
25 and 33, FRCP. Applicant further objects to the Interrogatories on the basis of attorney-client
26 privilege where any Interrogatory could be construed to require the disclosure of communications
27 between Applicant and its counsel, or the disclosure of attorney work product privileged matter.
28 Applicant further objects to any interrogatory which calls for information or documents or

1 admissions which are known only by, or best by, Opposer, or which are in Opposer's possession
2 only or primarily in Opposer's possession.

3 Applicant responds to the Interrogatories solely on behalf of itself, and does not respond for
4 or bind any other company, person, or party. In submitting these responses, Applicant does not
5 waive any rights or objections which may otherwise be available, nor concede to relevance,
6 competence, materiality, lack of privilege, or admissibility in evidence of such responses. All
7 responses are provided herein, and are submitted as presently advised, and without prejudice to
8 Applicant's right to modify, amend, revise, correct, supplement, add to, or clarify such responses,
9 and Applicant reserves the right to produce subsequently discovered evidence and to introduce such
10 evidence at trial.

11 For purposes of these responses, Applicant assumes Opposer has correctly identified itself,
12 and that Opposer sells the goods or services set forth in Opposer's Notice of Opposition. However,
13 Applicant has no direct knowledge of Opposer, and Applicant cannot determine, except by
14 Opposer's own statements in its Notice, whether Opposer is associated with any particular source for
15 the goods Opposer identifies. Accordingly, Applicant objects to all questions which call for
16 information about Opposer, its' goods or services, its' marketing, and all other aspects of Opposer's
17 business.

18 19 **RESPONSES TO INTERROGATORIES**

20 INTERROGATORY NO. 1.

21 1. Does Applicant contend that any of the registrations for Opposer's Marks have not become
22 incontestable? If the response to this interrogatory is other than an unqualified negative,
23 state all reasons that support the applicant's contention that the registrations for the
24 Opposer's Marks have not become incontestable with respect to each registration.

25 RESPONSE TO INTERROGATORY NO. 1.

26 A trademark registration at the United States Patent & Trademark Office may achieve only a
27 qualified "incontestability" under 15 U.S. Code §1063, which section is entitled "Incontestability of
28 Right to Use Mark Under Certain Conditions." Consistent with the terms of that section, "the right

1 of the owner to use [such] registered mark in commerce for the goods or services on or in connection
2 with which such registered mark has been in continuous use for five consecutive years subsequent to
3 the date of such registration and is still in use in commerce shall be incontestable” “[e]xcept on a
4 round for which application to cancel may be filed at any time under paragraphs (3) and (5) of
5 section 14 of this Act...” Paragraph (3) of section 14 comprises paragraph (3) of U.S. Code §1062,
6 which states: “A petition to cancel a registration of a mark...may...be filed...(3) At any time if the
7 registered mark ...becomes the generic name for the goods or services, or a portion thereof, for which
8 it is registered, or is functional, or has been abandoned, or its registration was obtained
9 fraudulently...” Opposer’s registrations, and each of them, claim services which Opposer does not
10 provide, so Opposer’s registrations, and each of them, may be canceled under paragraph (3) of U.S.
11 Code §1062.

12 INTERROGATORY NO. 2.

13 2. Does Applicant contend that any of Opposer’s Marks are generic? If the response to this
14 interrogatory is other than an unqualified negative, state all facts that support the Applicant’s
15 contention that the Opposer’s Marks are generic with respect to each mark.

16 RESPONSE TO INTERROGATORY NO. 2.

17 Neither Opposer’s Marks nor Applicant’s Mark are generic, unless Opposer claims the word
18 “connect” is generic, in which case the generic term “connect,” when combined with the generic
19 term “PR,” or combined with the generic terms “public relations,” result in Opposer’s Marks being
20 generic.

21 INTERROGATORY NO. 3.

22 3. Does Applicant contend that any purported dissimilarities between the goods/services of
23 Opposer’s Marks and the Applicant’s Mark militate against a likelihood of confusion? If
24 the response to this interrogatory is other than an unqualified negative, state all such
25 dissimilarities between the goods/services of Opposer’s Marks and the Applicant’s Mark.

26 RESPONSE TO INTERROGATORY NO. 3.

27 Applicant cannot answer this question with any degree of certainty because Opposer does
28 not specify in a definite way the kinds of services it offers within the broad headings found in its

1 registrations, so Applicant does not know exactly what Opposer does. However, from Opposer's
2 web site, Opposer does not appear to offer, and Applicant therefore gathers Opposer does not offer,
3 the following services, which services appear to be unrelated to the services Opposer does provide:

4 Class 009 audio recordings featuring music; video recordings featuring music;
5 downloadable audio and video recordings featuring music; prerecorded music on
6 CD, DVD and other media.

7 Class 035 business marketing services in the nature of agency representation of
8 companies marketing a variety of services to home owners and renters, namely,
9 utility hook-ups, telecommunication services, home security services, home
10 warranties, home and yard maintenance, furniture and appliance rental; comparative
11 marketing and advertising services for providers of residential and business
12 telecommunications services, namely, for providers of broadband cable, DSL,
13 fiber-optic and satellite Internet access services, cable and satellite television, voice
14 over IP, and long-distance telephone services; operation of telephone call centers for
15 others; marketing of high speed telephone, Internet, and wireless access, and
16 directing consumers to access providers; providing an online directory information
17 service featuring information regarding, and in the nature of, classifieds; advertising
18 and information distribution services, namely, providing classified advertising space
19 via the global computer network; promoting the goods and services of others over the
20 Internet; providing online computer databases and on-line searchable databases
21 featuring classified listings and want ads; online business networking services;
22 providing telephone directory information via global communications networks;
23 providing an online interactive website obtaining users comments concerning
24 business organizations, service providers, and other resources; providing
25 information, namely, compilations, rankings, ratings, reviews, referrals and
26 recommendations relating to business organizations, service providers, and other
27 resources using a global computer network; providing telephone directory
28 information via global communications networks; arranging for others the initiation
and termination of telecommunication services and utility services in the nature of
water, gas and electricity and consultation rendered in connection therewith.

Class 038 providing online chat rooms for registered users for transmission of
messages concerning classifieds, virtual community and social networking;
providing on-line chat rooms and electronic bulletin boards for transmission of
messages among users in the field of general interest; providing email and instant
messaging services.

Class 042 computer services, namely, creating an on-line community for registered
users to participate in discussions, get feedback from their peers, form virtual
communities, and engage in social networking; computer software development;
application service provider (ASP) featuring software to enable uploading, posting,
showing, displaying, tagging, blogging, sharing or otherwise providing electronic
media or information over the Internet or other communications network; providing
temporary use of non-downloadable software applications for classifieds, virtual
community, social networking, photo sharing, video sharing, and transmission of
photographic images; computer services, namely, hosting online web facilities for
others for organizing and conducting online meetings, gatherings, and interactive
discussions; computer services in the nature of customized web pages featuring
user-defined information, personal profiles and information.

1 Class 045 on-line social networking services; internet based dating, introduction and
2 social networking services.

3 INTERROGATORY NO. 4.

- 4 4. Does Applicant contend that any purported dissimilarities between the channels of trade of
5 Opposer's Marks and the Applicant's Mark militate against a likelihood of confusion? If the
6 response to this interrogatory is other than an unqualified negative, state all such
7 dissimilarities between the channels of trade of Opposer's Marks and the Applicant's Mark.

8 RESPONSE TO INTERROGATORY NO. 4.

9 Applicant cannot answer this question with any degree of certainty because Opposer does
10 not specify in a definite way the kinds of services it offers within the broad headings found in its
11 registrations, so Applicant does not know exactly what Opposer does. However, from Opposer's
12 web site, Opposer appears to direct its marketing to businesses only, and Opposer appears not to
13 offer its services to consumers. Looking again at Opposer's web site, Opposer does not appear to
14 offer, and Applicant therefore gathers Opposer does not offer, the following services, which services
15 may be offered only to consumers:

16 Class 009 audio recordings featuring music; video recordings featuring music;
17 downloadable audio and video recordings featuring music; prerecorded music on
CD, DVD and other media.

18 Class 035 business marketing services in the nature of agency representation of
19 companies marketing a variety of services to home owners and renters, namely,
20 utility hook-ups, telecommunication services, home security services, home
21 warranties, home and yard maintenance, furniture and appliance rental; comparative
22 marketing and advertising services for providers of residential and business
23 telecommunications services, namely, for providers of broadband cable, DSL,
24 fiber-optic and satellite Internet access services, cable and satellite television, voice
25 over IP, and long-distance telephone services; operation of telephone call centers for
26 others; marketing of high speed telephone, Internet, and wireless access, and
27 directing consumers to access providers; providing an online directory information
28 service featuring information regarding, and in the nature of, classified; advertising
and information distribution services, namely, providing classified advertising space
via the global computer network; promoting the goods and services of others over the
Internet; providing online computer databases and on-line searchable databases
featuring classified listings and want ads; online business networking services;
providing telephone directory information via global communications networks;
providing an online interactive website obtaining users comments concerning
business organizations, service providers, and other resources; providing
information, namely, compilations, rankings, ratings, reviews, referrals and
recommendations relating to business organizations, service providers, and other
resources using a global computer network; providing telephone directory

1 information via global communications networks; arranging for others the initiation
2 and termination of telecommunication services and utility services in the nature of
water, gas and electricity and consultation rendered in connection therewith.

3 Class 038 providing online chat rooms for registered users for transmission of
4 messages concerning classifieds, virtual community and social networking;
5 providing on-line chat rooms and electronic bulletin boards for transmission of
messages among users in the field of general interest; providing email and instant
messaging services.

6 Class 042 computer services, namely, creating an on-line community for registered
7 users to participate in discussions, get feedback from their peers, form virtual
8 communities, and engage in social networking; computer software development;
9 application service provider (ASP) featuring software to enable uploading, posting,
10 showing, displaying, tagging, blogging, sharing or otherwise providing electronic
11 media or information over the Internet or other communications network; providing
12 temporary use of non-downloadable software applications for classifieds, virtual
community, social networking, photo sharing, video sharing, and transmission of
photographic images; computer services, namely, hosting online web facilities for
others for organizing and conducting online meetings, gatherings, and interactive
discussions; computer services in the nature of customized web pages featuring
user-defined information, personal profiles and information.

13 Class 045 on-line social networking services; internet based dating, introduction and
social networking services.

14 INTERROGATORY NO. 5.

15 5. Does Applicant contend that any purported dissimilarities between the appearance of
16 Opposer's Marks and the Applicant's Mark militate against a likelihood of confusion? If the
17 response to this interrogatory is other than an unqualified negative, state all such
18 dissimilarities between the appearance of Opposer's Marks and the Applicant's Mark.

19 RESPONSE TO INTERROGATORY NO. 5.

20 While Applicant's Mark and Opposer's Marks contain the word "connect," the word
21 "connect" is not highly distinctive, as Applicant will demonstrate by reference to, virtually,
22 thousands of registrations and uses of marks which contain the word "connect." As a result, service
23 marks used on public relations services marketed to businesses, such as those Opposer appears to
24 provide, which contain the word "connect," and service marks intended for use on the services
25 Applicant has identified in this application, which contain the word "connect," may be distinguished
26 by the addition of almost any other words or letters. Accordingly, the appearance of Opposer's
27 Marks and the Applicant's Mark militate against a likelihood of confusion Opposer because some
28 word or words, or letters, appear additionally in each and every Opposer's Marks. Since they may

1 be distinguished based on differences in appearance only, Applicant's Mark and Opposer's Marks
2 are not confusingly similar.

3 INTERROGATORY NO. 6.

4 6. Does Applicant contend that any purported dissimilarities between the conditions under
5 which and the buyers to whom sales are made for the goods/services of the Opposer's Marks
6 and the Applicant's Mark militate against a likelihood of confusion? If the response to this
7 interrogatory is other than an unqualified negative, state all such dissimilarities between the
8 conditions under which and the buyers to whom sales are made for the goods/services of the
9 Opposer's Marks and the Applicant's Mark.

10 RESPONSE TO INTERROGATORY NO. 6.

11 Applicant cannot answer this question with any degree of certainty because Opposer does
12 not specify in a definite way the kinds of services it offers within the broad headings found in its
13 registrations, so Applicant does not know exactly what Opposer does. However, from Opposer's
14 web site, Opposer appears to direct its marketing to businesses only, under conditions which a client
15 business would perceive Opposer's services as useful in such client's money making endeavors, and
16 Opposer appears not to offer its services to consumers, who are not in a money making business
17 mode. Looking again at Opposer's web site, Opposer does not appear to offer, and Applicant
18 therefore gathers Opposer does not offer, the following services, which services may be offered only
19 to consumers:

20
21 Class 009 audio recordings featuring music; video recordings featuring music;
22 downloadable audio and video recordings featuring music; prerecorded music on
CD, DVD and other media.

23 Class 035 business marketing services in the nature of agency representation of
24 companies marketing a variety of services to home owners and renters, namely,
25 utility hook-ups, telecommunication services, home security services, home
26 warranties, home and yard maintenance, furniture and appliance rental; comparative
27 marketing and advertising services for providers of residential and business
28 telecommunications services, namely, for providers of broadband cable, DSL,
fiber-optic and satellite Internet access services, cable and satellite television, voice
over IP, and long-distance telephone services; operation of telephone call centers for
others; marketing of high speed telephone, Internet, and wireless access, and
directing consumers to access providers; providing an online directory information
service featuring information regarding, and in the nature of, classifieds; advertising
and information distribution services, namely, providing classified advertising space

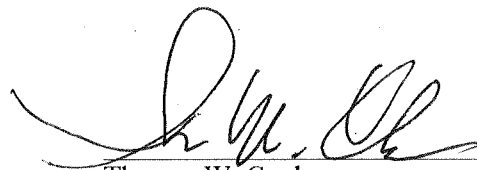
1 via the global computer network; promoting the goods and services of others over the
2 Internet; providing online computer databases and on-line searchable databases
3 featuring classified listings and want ads; online business networking services;
4 providing telephone directory information via global communications networks;
5 providing an online interactive website obtaining users comments concerning
6 business organizations, service providers, and other resources; providing
7 information, namely, compilations, rankings, ratings, reviews, referrals and
8 recommendations relating to business organizations, service providers, and other
9 resources using a global computer network; providing telephone directory
10 information via global communications networks; arranging for others the initiation
11 and termination of telecommunication services and utility services in the nature of
12 water, gas and electricity and consultation rendered in connection therewith.

13 Class 038 providing online chat rooms for registered users for transmission of
14 messages concerning classifieds, virtual community and social networking;
15 providing on-line chat rooms and electronic bulletin boards for transmission of
16 messages among users in the field of general interest; providing email and instant
17 messaging services.

18 Class 042 computer services, namely, creating an on-line community for registered
19 users to participate in discussions, get feedback from their peers, form virtual
20 communities, and engage in social networking; computer software development;
21 application service provider (ASP) featuring software to enable uploading, posting,
22 showing, displaying, tagging, blogging, sharing or otherwise providing electronic
23 media or information over the Internet or other communications network; providing
24 temporary use of non-downloadable software applications for classifieds, virtual
25 community, social networking, photo sharing, video sharing, and transmission of
26 photographic images; computer services, namely, hosting online web facilities for
27 others for organizing and conducting online meetings, gatherings, and interactive
28 discussions; computer services in the nature of customized web pages featuring
user-defined information, personal profiles and information.

Class 045 on-line social networking services; internet based dating, introduction and
social networking services.

Date: June 14, 2011



Thomas W. Cook
Attorney for Digitalmojo, Inc.

Pursuant to Rule 33(b)(2) of the Federal Rules of Civil Procedure, and section 405.04(c) of the Trademark Trial and Appeal Board Manual of Procedure, the undersigned hereby answers for the Applicant, a corporation, the above interrogatories, to the best of the knowledge available to Applicant at the present time.

Digitalmojo, Inc.

By: 

Martin Smith, President

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PROOF OF SERVICE

I hereby declare:

I am over the age of 18 years, and am not a party to the within cause. I am employed in Sausalito, California.

My business address is 3030 Bridgeway, Suite 425-430, Sausalito, California. My mailing address is P.O. Box 1989, Sausalito, California.

On the date first written below, I served a true copy of the attached document entitled:

RESPONSES TO INTERROGATORIES, SET TWO

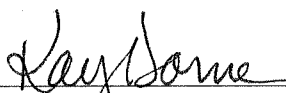
by placing it in a sealed envelope and depositing it in the United States mail, first class postage fully prepaid, addressed to the following:

Clayton, Howarth & Cannon, P.C.
P. O. Box 1909
Sandy UT 84091-1909

Attention: Karl R. Cannon

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sausalito, California.

June 20, 2011



Kay Horne

EXHIBIT 23

1 Thomas W. Cook, Reg. No. 38,849
2 3030 Bridgeway, Suite 425-430
3 Sausalito, California 94965
4 Telephone: 415-339-8550
5 Email: tom@thomascooklaw.com
6 Attorney for DigitalMojo, Inc.

7
8 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
9 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**
10

11 **Opposition No. 91196299 (Parent)**

12 CONNECT PUBLIC RELATIONS, INC.
13 Opposer,

14 v.

15 DIGITALMOJO, INC., Applicant

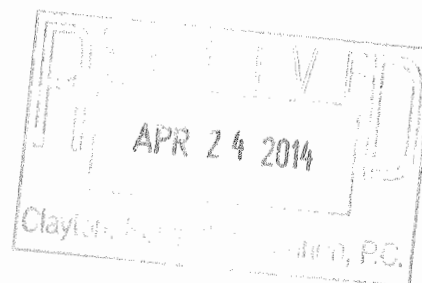
**APPLICANT'S RESPONSES TO
OPPOSER'S THIRD SET OF
INTERROGATORIES**

16 **Cancellation No. 92054395**
17 **Cancellation No. 92054427**

18 DIGITALMOJO, INC.,
19 Petitioner,

20 v.

21 CONNECT PUBLIC RELATIONS, INC.
22 Respondent.



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Propounding Party: Opposer, Connect Public Relations, Inc.
Responding Party: Applicant, Digitalmojo, Inc.
Set Number: Three

In accordance with Rule 33 of the Federal Rules of Civil Procedure (“FRCP”), Applicant Digitalmojo, Inc., responds to Opposer’s Interrogatories, Set Three (the “Interrogatories”).

GENERAL OBJECTIONS

Applicant hereby generally objects to the Interrogatories, to the extent the interrogatories contained therein are overbroad, indefinite, vague, ambiguous, and unduly burdensome, and to the extent they seek information not likely to lead to the discovery of information relevant to this proceeding, or insofar as it purports to impose obligations that exceed those required under Rules 26 and 33, FRCP. Applicant further objects to the Interrogatories on the basis of attorney-client privilege where any Interrogatory could be construed to require the disclosure of communications between Applicant and its counsel, or the disclosure of attorney work product privileged matter. Applicant further objects to any interrogatory which calls for information or documents or admissions which are known only by, or best by, Opposer, or which are in Opposer's possession only or primarily in Opposer's possession.

Applicant responds to the Interrogatories solely on behalf of itself, and does not respond for or bind any other company, person, or party. In submitting these responses, Applicant does not waive any rights or objections which may otherwise be available, nor concede to relevance, competence, materiality, lack of privilege, or admissibility in evidence of such responses. All responses are provided herein, and are submitted as presently advised, and without prejudice to Applicant's right to modify, amend, revise, correct, supplement, add to, or clarify such responses, and Applicant reserves the right to produce subsequently discovered evidence and to introduce such evidence at trial.

For purposes of these responses, Applicant assumes Opposer has correctly identified itself, and that Opposer sells the goods or services set forth in Opposer's Notice of Opposition.

1 However, Applicant has no direct knowledge of Opposer, and Applicant cannot determine,
2 except by Opposer's own statements in its Notice, whether Opposer is associated with any
3 particular source for the goods Opposer identifies. Accordingly, Applicant objects to all
4 questions which call for information about Opposer, its' goods or services, its' marketing, and all
5 other aspects of Opposer's business.

6 7 **RESPONSES TO INTERROGATORIES**

8 INTERROGATORY NO. 1. Describe in detail any contention held by Applicant that the
9 following statement in the specimens of the Opposer's website appended to Applicant's Second
10 Amended Petitions to Cancel does not constitute use in commerce of the Connect Public
11 Relations® mark:

12 So, welcome to Connect MarketingSM. There are four parts of our new brand:
13 Connect StrategicSM is where we help our clients build effective messaging as
14 well as conduct primary research (focus groups and surveys.) Connect Public
15 Relations® is the continuation of the traditional PR activities we've pursued for
16 22 years. It is still our core. Connect SocialSM is where we focus on all things
17 Web 2.0 - social media, social networking, social content and social reference.
18 And Connect StudiosSM is where we build meaningful, exciting, fun content-
19 infographs, websites, videos and so on.

18 RESPONSE TO INTERROGATORY NO. 1.

19 The statement to which the Opposer refers in this Interrogatory does appear to be use in
20 commerce, of the mark Connect Public Relations, for the traditional PR activities Opposer has
21 "pursued for 22 years." Presumably these "traditional PR activities" are the same services for
22 which Opposer has registered its mark CONNECT PUBLIC RELATIONS, i.e., "marketing and
23 market research and consulting services; public and media relations services and sales promotion
24 services." *Wikipedia* gives examples of such services as "...speaking at conferences, winning
25 industry awards, working with the press, and employee communication." With the words
26 "traditional PR activities," Opposer has defined what it has done for years, and it has
27 distinguished those "traditional PR activities" from other kinds of services which Opposer has
28 recently (since instituting its Opposition to Applicant's application) begun to supply. In all cases,

1 however, whether its services are “traditional PR activities” or services it has more recently
2 begun to supply, Opposer deals with businesses. Opposer markets its services to business, and
3 Opposer’s services result in presenting the trade and service marks of Opposer’s clients to the
4 public. Opposer’s marks, CONNECT PUBLIC RELATIONS, CONNECTPR, and CONNECT
5 MARKETING do not go in front of the consuming public because Opposer’s goal when working
6 for its clients is to promote its clients, not itself. So, for instance, when Connect Public Relations
7 provides is “Connect Social” services, it is “focusing on...social media, social networking, social
8 content and social reference,” for its clients, so that its clients may effectively present their names
9 and marks to the public as *its clients* provide “social networking services.”

10 Applicant Digitalmojo, on the other hand, does not promote any other businesses, or
11 “market” the goods or services of any other business. Digitalmojo offers its services to end-
12 users, to consumers of services, only. Digitalmojo does not care to provide services to social
13 networking businesses (such as Facebook, for instance); Digitalmojo considers such services
14 merely competitors. This means that the market served by Connect Public Relations and the
15 market served by Digitalmojo are entirely separated. No person will be exposed to the trade and
16 service marks of Connect Public Relations and Digitalmojo when the markets of each of these
17 companies are reasonably defined.

18 Digitalmojo believes Connect Public Relations has recently decided to “rebrand,” and
19 supply new services. Connect Public Relations as devised a portfolio of new marks for its new
20 services, and it describes these new services as having four parts:

- 21 “1. Connect StrategicSM is where we help our clients build effective
22 messaging as well as conduct primary research (focus groups and
23 surveys.)
- 24 2. Connect Public Relations[®] is the continuation of the traditional PR
25 activities we’ve pursued for 22 years. It is still our core.
- 26 3. Connect SocialSM is where we focus on all things Web 2.0 - social
media, social networking, social content and social reference.
4. Connect StudiosSM is where we build meaningful, exciting, fun content-
infographs, websites, videos and so on.”

27 Digitalmojo also believes each of these marks used by Connect Public Relations, and the new
28 rebranding mark CONNECT MARKETING, are all registrable at the Patent and Trademark

Office, either with a bit of argument, or with the consent of Digitalmojo. Digitalmojo offers that consent, and also offers whatever assistance it can provide Connect Public Relations in registering its marks, so that each of these companies can “coexist,” each supplying their (unrelated) services under their respective marks. However, Digitalmojo cannot offer that assistance if these cases continue, as they will, for at least another year. Connect Public Relations and Digitalmojo are unnecessarily using resources in this dispute, and generating costs unnecessarily, rather than applying those resources to conducting their businesses. Each of these companies can better utilize these resources if Digitalmojo and Connect Public Relations each gain registration of their marks as they should (and will, if Connect Public Relations wishes to settle these cases). Such a settlement will allow Connect Public Relations and Digitalmojo to serve their separate markets, and register their separate marks, much as Connect Public Relations and Firemen’s Fund Insurance Company are now serving their separate markets after simply recognizing that these two companies do different things. A similar settlement between Digitalmojo and Connect Public Relations can be made today if each of these companies recognizes that Connect Public Relations serves other businesses, while Digitalmojo serves consumers, and their paths will never cross.

INTERROGATORY NO. 2. Describe in detail any contention held by Applicant that the following graphic in the specimens of the Opposer’s website appended to Applicant’s Second Amended Petitions to Cancel does not constitute use in commerce of the Connect Public Relations® mark: (image not inserted)

RESPONSE TO INTERROGATORY NO. 2.

The graphic embedded in Opposer’s Interrogatory No. 2 appears to contain the words CONNECT and “Public Relations” in close association, and such words appear to create separate impressions. The words “Public Relations,” when viewed properly, are merely descriptive of the services offered under the mark CONNECT, much as “marketing”, and “social” and “studios” and strategic are all merely descriptive words which describe services offered by Opposer (Applicant assumes) under the mark CONNECT. The words CONNECT and “Public

1 Relations” in close association within such graphic therefore does not constitute use in commerce
2 of the “Connect Public Relations” mark, because the words CONNECT and “Public Relations,”
3 even in close association within such graphic, do not create a unitary commercial impression, or
4 any indication of source of “Public Relations” services beyond the mark CONNECT. Applicant
5 does not embed the graphic referred to in this Request for Admission because it does not have the
6 facility for such embedding, and because it no longer finds such graphic on Opposer’s (Applicant
7 assumes) website.

8
9 INTERROGATORY NO. 3. Describe in detail any contention held by Applicant that the
10 following statement in the specimen of the Opposer’s website appended to Applicant’s Second
11 Amended Petition to Cancel does not constitute use in commerce of the Connect Public
12 Relations® mark: “We are expanding our brand. Today, Connect Public Relations® becomes
13 Connect MarketingSM. Don’t think of this as a ‘switch,’ but rather as an ‘expansion.’”

14
15 RESPONSE TO INTERROGATORY NO. 3.

16 The statement “...Today, Connect Public Relations® becomes Connect MarketingSM...”
17 implies a rebranding of all the services previously supplied by Connect Public Relations, from
18 CONNECT PUBLIC RELATIONS to CONNECT MARKETING.

19
20 INTERROGATORY NO. 4. Describe in detail any contention held by Applicant that the use of
21 the Connect Public Relations® mark on the Opposer’s current website,
22 <http://connectmarketing.com/>, including the webpage, <http://connectmarketing.com/pr.asp>, does
23 not constitute use in commerce.

24
25 RESPONSE TO INTERROGATORY NO. 4.

26 The use of the words “current website” in this interrogatory is interesting here, because it
27 points out the changes made by Connect Public Relations in its Internet presence. The website
28 currently available at <http://connectmarketing.com/> includes a webpage,

1 <http://connectmarketing.com/pr.asp>, that displays the words “Connect Public Relations” in such a
2 manner that constitutes use in commerce of “Connect Public Relations” for some goods or
3 services. The question has always been “for what goods or services.” However, we can also
4 today, on the Internet, go to the Internet Archive Wayback Machine page to view that same
5 <http://connectmarketing.com/pr.asp> location, and find that the webpage
6 <http://connectmarketing.com/pr.asp> appears to have been first captured by the Wayback machine
7 on August 29, 2011, seven days after Applicant filed its Petition to cancel the registration of
8 Opposer’s registration of CONNECT PUBLIC RELATIONS on August 22, 2011.

9
10 INTERROGATORY NO. 5. State in detail any contention held by Applicant that the use of the
11 ConnectPR® Mark on the Opposer’s current website, <http://connectmarketing.com/>, including the
12 webpage, <http://connectmarketing.com/pr.asp>, does not constitute use in commerce.

13
14 RESPONSE TO INTERROGATORY NO. 5.

15 The use of the words “current website” in this interrogatory is interesting here, because it
16 points out the changes made by Connect Public Relations in its Internet presence. The website
17 currently available at <http://connectmarketing.com/> includes a webpage,
18 <http://connectmarketing.com/pr.asp>, that displays the words “ConnectPR” in such a manner that
19 constitutes use in commerce of “ConnectPR” for some goods or services. The question has
20 always been “for what goods or services.” However, we can today, on the Internet, go to the
21 Internet Archive Wayback Machine page to view that same <http://connectmarketing.com/pr.asp>
22 location, and find that the webpage <http://connectmarketing.com/pr.asp> appears to have been first
23 captured by the Wayback machine on August 29, 2011, seven days after Applicant filed its
24 Petition to cancel the registration of Opposer’s registration of CONNECTPR on August 22, 2011,
25 and the mark CONNECTPR does not appear on that Wayback Machine record of August 29,
26 2011. Apparently, the mark CONNECTPR was added as an afterthought, and likely as a response
27 to the petition to cancel the registration of this mark. The fact that CONNECTPR also does not
28 appear in Connect Public Relations’s all-inclusive list of brands, either in the texts which Connect

1 Public Relations has supplied in these discovery requests, or in the graphics it has supplied,
2 supports the conclusion that Connect Public Relations has abandoned the mark CONNECTPR, or
3 that it has reduced the breadth of services it is supplying under this mark. The presentation of
4 CONNECTPR on <http://connectmarketing.com/pr.asp> is separated from the text which describes
5 Connect Public Relations's services, both by space and by one of Connect Public Relations's
6 larger, more important, presentation of CONNECT PUBLIC RELATIONS.

7
8 INTERROGATORY NO. 6. State in detail any contention held by Applicant that the use of the
9 ConnectPR® mark on the Opposer's current website, <http://connectmarketing.com/>, including the
10 webpage, <http://connectmarketing.com/services.asp>, does not constitute use in commerce.

11
12 RESPONSE TO INTERROGATORY NO. 6.

13 The use of the words "current website" in this interrogatory is interesting here, because it
14 points out the changes made by Connect Public Relations in its Internet presence. The website
15 currently available at <http://connectmarketing.com/> includes a webpage,
16 <http://connectmarketing.com/services.asp>, that displays the words "ConnectPR" in such a manner
17 that constitutes use in commerce of "ConnectPR" for some goods or services. The question here
18 is "when."

19 We can, today, on the Internet, go to the Internet Archive Wayback Machine page to view
20 that same <http://connectmarketing.com/services.asp> location, and find that the webpage
21 <http://connectmarketing.com/services.asp> appears to have been first captured by the Wayback
22 machine on May 3, 2013, almost two years after Applicant filed its Petition to cancel the
23 registration of Opposer's registrations of CONNECT PUBLIC RELATIONS and CONNECTPR
24 on August 22, 2011. Apparently, the entire page <http://connectmarketing.com/services.asp>
25 was added as an afterthought, and likely as a response to the petition to cancel the registration of
26 Connect Public Relations's registrations. The fact that CONNECTPR also does not appear in
27 Connect Public Relations's all-inclusive list of brands, either in the texts which Connect Public
28 Relations has supplied in these discovery requests, or in the graphics it has supplied, supports the

1 conclusion that Connect Public Relations has abandoned the mark CONNECTPR, or that it has
2 reduced the breadth of services it is supplying under this mark.

3
4 INTERROGATORY NO. 7. State in detail any contention held by Applicant that the use of the
5 Connect Public Relations® mark on the Opposer's current website, <http://connectmarketing.com/>,
6 including the webpage, <http://connectmarketing.com/services.asp>, does not constitute use in
7 commerce.

8
9 RESPONSE TO INTERROGATORY NO. 7.

10 The use of the words "current website" in this interrogatory is interesting here, because it
11 points out the changes made by Connect Public Relations in its Internet presence. The website
12 currently available at <http://connectmarketing.com/> includes a webpage,
13 <http://connectmarketing.com/services.asp>, that displays the words "Connect Public Relations" in
14 such a manner that constitutes use in commerce of "Connect Public Relations" for some goods or
15 services. The question here is "when." We can, today, on the Internet, go to the Internet Archive
16 Wayback Machine page to view that same <http://connectmarketing.com/services.asp> location, and
17 find that the webpage <http://connectmarketing.com/services.asp> appears to have been first
18 captured by the Wayback machine on May 3, 2013, almost two years after Applicant filed its
19 Petition to cancel the registration of Opposer's registrations of CONNECT PUBLIC
20 RELATIONS and CONNECTPR on August 22, 2011. Apparently, the entire page
21 <http://connectmarketing.com/services.asp> was added as an afterthought, and likely as a response
22 to the petition to cancel the registration of Connect Public Relations's registrations.

23
24 INTERROGATORY NO. 8. State in detail any contention held by Applicant that the following
25 statement on the webpage, <http://connectmarketing.com/services.asp>, does not constitute use in
26 commerce:

27 ///

28 ///

1 SERVICES

2 Connect Public Relations® and Connect PR® provide the following services:

- 3 • Communications services, namely, delivery of messages by electronic
4 transmission;
- 5 • Marketing, namely, business marketing services; market research and
6 marketing consulting services; public and media relations services; sales
7 promotion services; marketing consultation services in the fields of computer
8 hardware and software; marketing consultation services in the field of
9 computer networks; marketing services, namely, designing online marketing
10 programs for social networking websites and business networking website;
- 11 • Marketing and market research and consulting services; public and media
12 relations services and sales promotion services.

10 RESPONSE TO INTERROGATORY NO. 8.

11 The website currently available at <http://connectmarketing.com/> includes a webpage,
12 <http://connectmarketing.com/services.asp>, that displays the words “Connect Public Relations” and
13 “ConnectPR” in such a manner that constitutes use in commerce of “ConnectPR” for some goods
14 or services. The question here is “when.” We can, today, on the Internet, go to the Internet
15 Archive Wayback Machine page to view that same <http://connectmarketing.com/services.asp>
16 location, and find that the webpage <http://connectmarketing.com/services.asp> appears to have
17 been first captured by the Wayback machine on May 3, 2013, almost two years after Applicant
18 filed its Petition to cancel the registration of Opposer’s registrations of CONNECT PUBLIC
19 RELATIONS and CONNECTPR on August 22, 2011. Apparently, the entire page
20 <http://connectmarketing.com/services.asp> was added as an afterthought, and likely as a response
21 to the petition to cancel the registrations of Connect Public Relations’s marks. The fact that
22 CONNECTPR also does not appear in Connect Public Relations’s all-inclusive list of brands,
23 either in the texts which Connect Public Relations has supplied in these discovery requests, or in
24 the graphics it has supplied, supports the conclusion that Connect Public Relations has abandoned
25 the mark CONNECTPR, or that it has reduced the breadth of services it is supplying under this
26 mark.

1 INTERROGATORY NO. 9. Identify the date(s), by day/month/year, on which Applicant
2 contends that Opposer ceased using in commerce the Connect Public Relations® and
3 ConnectPR® marks.
4

5 RESPONSE TO INTERROGATORY NO. 9.

6 Applicant contends that Opposer ceased using in commerce the Connect Public Relations
7 and ConnectPR marks on or about the time Connect Public Relations began to rebrand as
8 CONNECT MARKETING, and so on or about the time Connect Public Relations created its
9 “current webpage” (Connect Public Relations’s words) now available at
10 <http://connectmarketing.com/>. The date of that creation was apparently shortly before the Internet
11 Archive captured the first image of that webpage on August 29, 2011.
12

13 INTERROGATORY NO. 10. Describe in detail all facts supporting Applicant’s allegations in
14 paragraph 8 of the Petitions to Cancel.
15

16 RESPONSE TO INTERROGATORY NO. 10.

17 In responding to Opposer’s excellent questions posed in Interrogatories 1 through 9 above,
18 Applicant has described in detail all facts supporting Applicant’s allegations in paragraph 8 of the
19 Petitions to Cancel.
20

21 INTERROGATORY NO. 11. Describe in detail all facts supporting Applicant’s allegations in
22 paragraph 9 of the Petitions to Cancel
23

24 RESPONSE TO INTERROGATORY NO. 11.

25 In responding to Opposer’s excellent questions posed in Interrogatories 1 through 9 above,
26 Applicant has described in detail all facts supporting Applicant’s allegations in paragraph 9 of the
27 Petitions to Cancel.
28 ///

1 INTERROGATORY NO. 12. Describe in detail all facts supporting Applicant's allegations in
2 paragraph 10 of the Petitions to Cancel.

3
4 RESPONSE TO INTERROGATORY NO. 12.

5 In responding to Opposer's excellent questions posed in Interrogatories 1 through 9 above,
6 Applicant has described in detail all facts supporting Applicant's allegations in paragraph 10 of
7 the Petitions to Cancel.

8
9 INTERROGATORY NO. 13. Describe in detail all facts supporting Applicant's allegations that
10 Opposer intends not to use the Connect Public Relations® and Connect PR® marks in the future.

11
12 RESPONSE TO INTERROGATORY NO. 13.

13 In responding to Opposer's excellent questions posed in Interrogatories 1 through 9 above,
14 Applicant has described in detail all facts supporting Applicant's allegations that Opposer intends
15 not to use the Connect Public Relations and Connect PR marks in the future.

16
17 INTERROGATORY NO. 14. Describe in detail the reasons why the Applicant contends in its
18 Second Amended Petitions to Cancel that specimens of the Opposer's website appended to
19 Applicant's Second Amended Petitions to Cancel demonstrate that Opposer intends not to use the
20 Connect Public Relations® mark even though the specimens include the following graphic that
21 includes the Connect Public Relations® mark:

22 (images not inserted)

23
24 RESPONSE TO INTERROGATORY NO. 14.

25 See responses to Opposer's Interrogatory numbers 1 and 2 above.

26
27 ///

28 ///

1 INTERROGATORY NO. 15. State the period of time that Applicant contends that Opposer has
2 not been using the Connect Public Relations® and ConnectPR® marks.

3
4 RESPONSE TO INTERROGATORY NO. 15.

5 Since we can, today, on the Internet, go to the Internet Archive Wayback Machine page to
6 view that same <http://connectmarketing.com/services.asp> location, and find that the webpage
7 <http://connectmarketing.com/services.asp> appears to have been first captured by the Wayback
8 machine on May 3, 2013, almost two years after Applicant filed its Petition to cancel the
9 registration of Opposer's registrations of CONNECT PUBLIC RELATIONS and CONNECTPR
10 on August 22, 2011, and that the entire page <http://connectmarketing.com/services.asp> appears to
11 have been added as an afterthought, and likely as a response to the petition to cancel the
12 registration of Connect Public Relations's registrations, Connect Public Relations did not use the
13 Connect Public Relations and ConnectPR marks from on or about August 22, 2011 to at least May
14 3, 2013.

15
16 INTERROGATORY NO. 16. Identify all documents that support Applicant's contention that
17 Opposer has abandoned the Connect Public Relations® and ConnectPR® marks.

18
19 RESPONSE TO INTERROGATORY NO. 16.

20 Opposer's current webpage, Opposer's former webpage, and Internet Archive images
21 taken of these web sites from about early 2011 through at least May 3, 2013.

22
23 INTERROGATORY NO. 17. Describe in detail, including the factual and legal basis therefore,
24 any alleged errors in the conclusions made by Dr. Glenn Christensen in his expert report on the
25 issue of abandonment previously served on Applicant, if Applicant alleges any such errors.

26
27 ///

28 ///

1 RESPONSE TO INTERROGATORY NO. 17.

2 Dr. Glenn Christensen opines, in Paragraphs 14 of his “expert” report, his opinion that the
3 dominant, initial portion of the mark CONNECT PUBLIC RELATIONS, i.e. “Connect,” is the
4 feature of the mark that customers will rely upon as a source identifier, and he comes to the same
5 conclusion for the mark CONNECTPR in paragraph 15 of that report. However, he comes to this
6 conclusion without either conducting a search, or reviewing any search results (see “Materials
7 Reviewed” for the report on its page 16). Without reviewing a search of registrations of the word
8 “connect” at the PTO, and uses of the word “connect” out in the real world, Christensen comes to
9 the conclusion that the word “connect” is the most distinctive part of each of Connect Public
10 Relations marks. However, distinctiveness depends on whether and how much a word is used.
11 Without reviewing a search of registrations of the word “connect” at the PTO, and uses of the
12 word “connect” out in the real world, Christensen can come to no reasonable conclusion about
13 whether the word “connect” is the most distinctive part of each of Connect Public Relations
14 marks, or how distinctive “connect” is, or even whether it is distinctive at all.

15 Christensen goes on to conclude, in his Paragraph 20, “For purposes of a customers’
16 source identification, it is my opinion that the marks are essentially identical...,” thereby relying
17 on his erroneous analysis of the distinctiveness of “connect” without regard to how often the word
18 is registered and used by others: “Comparing the relevant and dominant portion of the Opposer’s
19 marks with the Applicant’s proposed Connect mark, it is my opinion that the marks are similar as
20 to sound, sight, and meaning.”

21 As to the relation between the services of Digitalmojo and those of Connect Public
22 Relations, Christensen is “spot on” when he says of Connect Public Relations’s registrations:

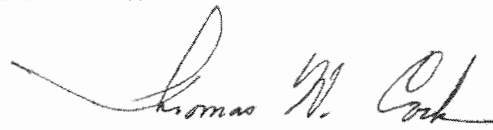
23 “It is my opinion that the breadth of this registration is for a service firm involved
24 in all the activities relating to marketing and public relations for their clients. It is
25 my opinion based on my experience that this would include working with firms to
26 market their products, communicate directly with their customers, improve their
27 strategies, manage media coverage and impressions, position their products in their
28 customers’ minds, create media to promote their products, create and manage
social media exposure, sell their products, etc. My own review of the Opposer’s
website and other materials indicates that they are engaged in these activities in its
trade practice.”

28 This is a good statement of the “trade practice” of Connect Public Relations. One the other hand,

1 Christensen is incorrect when he says: "It is also my opinion that there is nothing in this
2 registration that limits these activities to any specific market, customer, or industry," unless he
3 means to say "nothing in this registration that expressly limits these activities to any specific
4 market..." It is quite obvious that identifications such as this are limited to their terms, and
5 Connect Public Relations's identifications are limited to "working with firms" and providing
6 public relations services "for their clients," and that "firms" and "clients" are not the "consumers"
7 Digitalmojo wishes to serve.

8 Not surprisingly, given the faulty analysis upon which Christensen's views are based, and
9 setting aside for now who is paying him to opine, Christensen finds each and every service
10 identified by Digitalmojo in the opposed application to be "related" to Connect Public Relations
11 "marketing services" as identified in Connect Public Relations's registrations.

12
13 Date: April 21, 2014



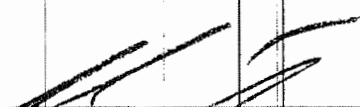
Thomas W. Cook
Attorney for Digitalmojo, Inc.

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VERIFICATION

Pursuant to Rule 33(b)(2) of the Federal Rules of Civil Procedure, and section 405.04(c) of the Trademark Trial and Appeal Board Manual of Procedure, the undersigned hereby answers for the Applicant, a corporation, the above Interrogatories, to the best of the knowledge available to Registrant at the present time.

Digitalmojo, Inc.

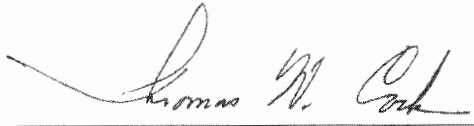

Martin Smith, President

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CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the **APPLICANT'S RESPONSE TO OPPOSER'S THIRD SET OF INTERROGATORIES**, via email, on this 21st day of April, 2014,

to: Karl R. Cannon <Kcannon@chcpat.com>


Thomas W. Cook

PROOF OF SERVICE

I hereby declare:

I am over the age of 18 years, and am not a party to the within cause. I am employed in Sausalito, California.

My business address is 3030 Bridgeway, Suite 425-430, Sausalito, California. My mailing address is P.O. Box 1989, Sausalito, California.

On the date first written below, I served a true copy of the attached document entitled:

**APPLICANT'S RESPONSE TO OPPOSER'S
THIRD SET OF INTERROGATORIES**

by placing it in a sealed envelope and depositing it in the United States mail, first class postage fully prepaid, addressed to the following:

Clayton, Howarth & Cannon, P.C.
P. O. Box 1909
Sandy UT 84091-1909
Attention: Karl R. Cannon

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sausalito, California.

April 21, 2014

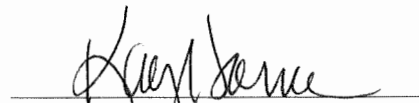

Kay Horne

EXHIBIT 24

RANDOM HOUSE WEBSTER'S UNABRIDGED DICTIONARY

Second Edition



RANDOM HOUSE
NEW YORK

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dynam. See Boyle's law. [1895-1900; named after Edme Mariotte (d. 1684), French physicist]

mariposa lily (mar'pə'sə, -zə), any lily of the genus *Calochortus*, of the western U.S. and Mexico, having tuliplike flowers of various colors. Also called **mariposa**, **mariposa tulip**. [1880-85, Amer.; < Sp. *mariposa* butterfly, moth; so named because blooms were likened to butterflies]

Maris (mar'is), n. Roger (Eugene), 1934-85, U.S. baseball player.

marish (mar'ish), Archaic. —n. 1. a marsh. —adj. 2. marshy. [1300-50; ME *marcis* < MF; see MARAIS]

Marisat (mar'ə sat'), n. one of a series of geostationary communications satellites that relay telecommunications between ships at sea and shore stations. [*maritime* (satellite)]

Marisol (mar'isə sol'), n. (Marisol Escobar) born 1930, Venezuelan artist, in U.S. since 1950.

Marist (mar'ist, mar'), n. Rom. Cath. Ch. a member of a religious order founded in Lyons, France, in 1816 for missionary and educational work in the name of the Virgin Mary. [1875-80; < F. *Mariste*. See MARY, -IST]

Maritain (ma rē tan'), n. Jacques (zhāk). 1882-1973, French philosopher and diplomat.

marital (mar'i tl), 1. of or pertaining to marriage; conjugal; matrimonial: marital vows; marital discord. 2. Archaic. of or pertaining to a husband. [1595-1605; < L. *maritalis* of married people, deriv. of *maritus* of marriage. See MARRY, -AL.] —**marital-ly**, adv.

marital therapy, a psychotherapeutic treatment for married couples, who are seen by a therapist both individually and jointly to assist them in resolving various problems related to their marriage.

maritime (mar'i tim'), adj. 1. connected with the sea in relation to navigation, shipping, etc. 2. of or pertaining to the sea: maritime resources. 3. bordering on the sea: maritime provinces. 4. living near or in the sea: maritime plants. 5. characteristic of a sailor; nautical: maritime clothing. [1540-50; < L. *maritimus* pertaining to the sea, equiv. to *mar-* (s. of *mare* sea) + *-timus* adj. suffix]

Maritime Alps, a range of the Alps in SE France and NW Italy.

maritime belt, Law. the part of the sea that is within the jurisdiction of the bordering states.

maritime law, the body of law relating to maritime commerce and navigation, and to maritime matters generally. [1860-65]

Maritime Provinces, the Canadian provinces of Nova Scotia, New Brunswick, and Prince Edward Island. Also called **Maritime**. —**Maritime**, adj.

Maritsa (mə rē'tsə), n. a river in S Europe, flowing from S Bulgaria along the boundary between Greece and European Turkey and into the Aegean. 300 mi. (485 km) long.

Marri-u-pol (mar'ē ōp'ol; Russ. mə rvi ōp'ol), n. a city in SE Ukraine, on the Sea of Azov. 503,000. Formerly (1948-89), Zhdanov.

Mar-us (mār'əs, mar'), n. Galus, c155-86 A.D., Roman general and consul; opponent of Lucius Cornelius Sulla.

Marivaux (ma rē vō'), n. Pierre Carlet de Chamblain de (pyer kar le' də shān blan' də), 1688-1763, French dramatist and novelist.

marjo-laine (mār'jə lān'), Fr. mār zhō len'), n., pl. *laines* (lānz'; Fr. lānz'), 1. (Italics) French. marjoram. 2. a long, narrow cake with straight sides, usually consisting of layers of meringue and chocolate buttercream and containing chopped nuts. [*< F; OF* *majorane* < ML *majorana*; see MARJORAM]

marjo-ram (mār'jə ram), n. any of several aromatic herbs belonging to the genus *Origanum*, of the mint family, esp. *O. majorana* (sweet marjoram), having leaves used as seasoning in cooking. Cf. *oregano*. [1350-1400; ME *majorane* < ML *majorana*, var. of *majorana*, alter. of L. *amdracus* < Gk. *amdrakos* marjoram]

Marjory (mār'jə rē), n. a female given name, form of Margaret. Also, **Marjorie**.

mark (märk), n. 1. a visible impression or trace on something, as a line, cut, dent, stain, or bruise: a small mark on his arm. 2. a badge, brand, or other visible sign assumed or imposed: a mark of his noble rank. 3. a symbol used in writing or printing: a punctuation mark. 4. a sign, usually an X or cross, made instead of a signature by someone who does not know how or is unable to write his or her own name. 5. an affixed or impressed device, symbol, inscription, etc., serving to give information, identify, indicate origin or ownership, attest to character, or comparative merit, or the like, as a trademark. 6. a sign, token, or indication: to bow as a mark of respect. 7. a symbol used in rating conduct, proficiency, attainment, etc., as of pupils in a school: good marks; bad marks. 8. something serving as an indication of position, as a landmark. 9. a recognized or required standard of quality, accomplishment, etc.; norm: His dissertation was below the mark. 10. distinction or importance; repute; note: a man of mark. 11. a distinctive trait or characteristic: the usual marks of a gentleman. 12. (usually cap.) U.S. Mil. a designation for a item of military equipment in production, used in combination with a numeral to indicate the order of adoption, and often abbreviated: a Mark-4 tank; an M-1 rifle. 13. an object aimed at; target: to aim at the mark. 14. an object of end desired or striven for; goal. 15. Slang. a. an object of derision, scorn, manipulation, or the like: He was an easy mark for criticism. b. the intended victim of a swindler, hustler, or the like: The cardsharp picked their marks from among the tourists on the cruise ship. 16. Track, the starting line. 17. Boxing, the middle of the stomach. 18. Lawn Bowling, jack' (def. 17). 19. Bowling, a strike or spare. 20. Naut. any of the distinctively marked points on a deep-sea lead line, occurring

at levels of 2, 3, 5, 7, 10, 13, 15, 17, and 20 fathoms above the lead. Cf. *deep* (def. 35). 21. a tract of land that may have been held in common by a primitive or early medieval community of peasants in Germany. 22. Archaic. or Hist. a boundary; frontier. 23. beside the mark, not pertinent; irrelevant. 24. bless or save the mark! (used as an exclamation of disapproval, contempt, impatience, etc.) Also, God bless save the mark! 25. make one's mark, to attain success or fame; achieve one's ambition: He set out to make his mark as a writer. 26. on your mark or marks! (in calling the start of a race) take your places. On your mark! Get set! Go! Also, get ready, ready! 27. wide of the mark, far from the target or objective; inaccurate or irrelevant: My first guess was wide of the mark.

—u.t. 28. to be a distinguishing feature of: a day marked by rain. 29. to put a mark or marks on: to mark each box with an X. 30. to give a grade for; put a grade on: to mark the final exams. 31. scent-mark (def. 2). 32. to furnish with figures, signs, tags, etc., to indicate price, quality, brand name, or the like: We marked all the books with prices. 33. to trace or form by or as if by marks (often fol. by out): to mark out a plan of attack. 34. to indicate or designate by or as if by marks: to mark passages to be memorized. 35. to single out; destine (often fol. by out): to be marked out for promotion. 36. to record, as a score. 37. to make manifest: to mark approval with a nod. 38. to give heed or attention to: Mark my words! 39. to notice or observe: to mark a change in the weather. —u.t. 40. to take notice; give attention; consider. 41. scent-mark (def. 1). 42. mark down, to reduce the price of: These towels have been marked down. 43. mark off, to mark the proper dimensions or boundaries of; separate: We marked off the limits of our lot with stakes. 44. mark time. See time (def. 45). 45. mark up, a. to mark or deface with marks. b. to mark with notations or symbols. c. to fix the selling price of (an article) by adding to the seller's cost an amount to cover expenses and profit: to mark up dresses 50 percent. d. to increase the selling price of. (bef. 900; (n.) ME; OE *mearc* mark, sign, banner, dividing line, borderland; c. G *Mark* borderland, unit of weight, ON *mark* forest (orig. borderland), unit of weight, Goth *marka* boundary, borderland. L *marka* MARGIN; (v.) ME *marken*, OE *mearcian*; c. OFris *markia*, OHG *markhōn*, ON *marka* to plan].

—Syn. 11. eminence, consequence. 12. feature, stamp, print. 14. purpose, objective. 34. identify, label, tag. 37, 38, note. 39. eye, regard, spot.

mark (märk), n. 1. the monetary unit of Germany since 1871: originally a silver coin. Cf. *Deutsche mark*, *ostmark*, *reichsmark*. 2. the markka of Finland. 3. Also, *mark*, a former silver coin of Scotland, equal to 13s. 4d. 4. a former money of account of England, equal to 13s. 4d. 5. a former coin of Estonia, the 1/40th part of a kroon; replaced by the sent after 1927. 6. a former European unit of weight, esp. for gold and silver, generally equal to 8 ounces (249 grams). (bef. 900; ME; OE *marc* unit of weight < ML *marca* < Gmc; see MARK')

Mark (märk), n. 1. one of the four Evangelists; traditionally believed to be the author of the second Gospel. 2. the second Gospel: to read aloud from Mark. 3. King, Arthurian Romance, ruler of Cornwall, husband of Isolt and uncle of Sir Tristram. 4. Saint. See Marcus, Saint. 5. a male given name, form of Marcus.

Mar-kan (mār'kan), adj. Marcan.

Mark An-to-ny (märk an'tə nē). See Antony, Mark.

mark-down (märk'daun'), n. 1. a reduction in price, usually to encourage buying. 2. the amount by which a price is reduced. [Amer.; n. use of v. phrase *mark down*]

marked (märkt), adj. 1. strikingly noticeable; conspicuous: with marked success. 2. watched as an object of suspicion or vengeance: a marked man. 3. having a mark or marks: beautifully marked birds; to read the marked pages. 4. Ling. a. (of a phoneme) characterized by the presence of a phonological feature that serves to distinguish it from an otherwise similar phoneme lacking that feature, as (d), which, in contrast to (t), is characterized by the presence of voicing. b. characterized by the presence of a marker indicating the grammatical function of a construction, as the plural in English, which, in contrast to the singular, is typically indicated by the presence of the marker -s. c. specifying an additional element of meaning, in contrast to a semantically related item, as *drake* in contrast to *duck*, where *drake* specifies "male" while *duck* does not necessarily specify sex. d. occurring less typically than an alternative form, as the word order in *Down he fell* in contrast to the more usual order of *He fell down*. Cf. *unmarked* (def. 2). [ME; OE *gemearcod*; see MARK', -ED'] —**mark-ed-ly** (mär'kid lē), adv. —**mark-ed-ness**, n. —**Syn.** 1. striking, outstanding, obvious, prominent.

mark-er (mär'kar), n. 1. a person or thing that marks. 2. something used as a mark or indication, as a bookmark or tombstone. 3. a person who records the scores, points, etc., as in a game or contest. 4. a counter used in card playing. 5. Genetics. See *gene*, *marker*. 6. Psychol. an object, as a book or topcoat left at a library table, used to establish territorial possession in a public place. 7. Ling. a. an element of a construction, as a coordinating conjunction, that is not a part of either immediate constituent, b. an element that indicates the grammatical class or function of a construction. 8. a small radio beacon, automatically operated, used for local navigation of vessels. 9. mile-marker. 10. Also called **mark'er pen**, **marking pen**, a pen designed for making bold, colorful, or indelible marks, as in making signs. 11. Slang. a. a debt, esp. a gambling debt. b. a written or signed promise to pay a debt, esp. a gambling debt; a promissory note or IOU. 12. Also called **mark'er crude**. Com. a grade of oil on which prices of other crude oils are based. 13. CB Radio Slang, a car's location while driving on a highway, as determined by the nearest milepost. [1480-90; MARK' + -ER']

mark'er gene, Genetics. See *genetic marker*.

mark-et (mär'kit), n. 1. an open place or a covered

building where buyers and sellers convene for the sale of goods; a marketplace: a farmers' market. 2. a store for the sale of food: a meat market. 3. a meeting of people for selling and buying. 4. the assemblage of people at such a meeting. 5. trade or traffic, esp. as regards a particular commodity: the market in cotton. 6. a body of persons carrying on extensive transactions in a specified commodity: the cotton market. 7. the field of trade or business: the best shoes in the market. 8. demand for a commodity: an unprecedented market for leather. 9. a body of existing or potential buyers for specific goods or services: the health-food market. 10. a region in which goods and services are bought, sold, or used: the foreign market; the New England market. 11. current price or value: a rising market for shoes. 12. See *stock market*. 13. at the market, at the prevailing price in the open market. 14. in the market for, ready to buy; interested in buying: I'm in the market for a new car. 15. on the market, for sale; available: Fresh asparagus will be on the market this week. —u.t. 16. to buy or sell in a market; deal. 17. to buy food and provisions for the home. —u.t. 18. to carry or send to market for disposal: to market produce every week. 19. to dispose of in a market; sell. [1100-1150; ME, late OE < VL *mercātus*, L. *mercātus* trading, traffic, market] —**mar'ket-er**, n. —**Syn.** 19. vend, merchandise, peddle.

mar-ke-ta-ble (mär'ki təb'l), adj. 1. readily salable. 2. of or pertaining to selling or buying: marketable values; marketable areas. [1590-1600; MARKET + -ABLE] —**mar-ke-ta-bil-i-ty**, **mar'ket-a-ble-ness**, n. —**mar'ket-a-bly**, adv.

mar/ke-ta-ble title, Law. a title to real property that is free from encumbrances, litigation, and other defects and that can readily be sold or mortgaged to a reasonable buyer or mortgagee. Also called *good title*, *merchantable title*, *sound title*.

mar/ket anal-ysis, Com. the process of determining factors, conditions, and characteristics of a market. —**mar/ket an-al-yst**, n.

mar/ket boat, 1. a boat that transfers fish from a fishing fleet to a market on shore. 2. a boat for carrying produce to market. 3. a boat assigned or used to bring provisions to a ship. [1770-80, Amer.]

mar/ket crab, See *Dungeness crab*.

mar-ke-er (mär'ki tēr'), n. a person who sells goods or services in or to a market. [1825-35; MARKET + -ER]

mar/ket gar-den, 1. a garden or farm for growing vegetables to be shipped esp. to local or nearby markets. Cf. *truck farm*. 2. Brit. See *truck farm*. 3. (caps.) Mil. the Allied code name for the unsuccessful invasion of Holland by British and American airborne and infantry forces on September 17, 1944. [1805-15] —**mar/ket gar-dener**, —**mar/ket gar-dening**.

mar-ke-ting (mär'ki ting), n. 1. the act of buying or selling in a market. 2. the total of activities involved in the transfer of goods from the producer or seller to the consumer or buyer, including advertising, shipping, storing, and selling. [1555-65; MARKET + -ING']

mar/ket let-ter, a publication containing information concerning market conditions, expectations, etc., esp. one produced by a securities brokerage firm or other financial organization.

mar/ket or-der, Stock Exchange, an order to buy or sell a specified amount of a security at the best price available. Cf. *limit order*, *stop order*. [1915-20]

mar-ke-t-place (mär'kit plās'), n. 1. an open area in a town where a market is held. 2. the commercial world; the realm of business, trade, and economics. 3. any sphere considered as a place where ideas, thoughts, artistic creations, etc., compete for recognition. Also, **mar/ke-t place**. [1350-1400; ME; see MARKET, PLACE]

mar/ke-t price, the price at which a commodity, security, or service is selling in the open market. Also called *market value*. [1400-50; late ME]

mar/ke-t re-search, the gathering and studying of data relating to consumer preferences, purchasing power, etc., esp. prior to introducing a product on the market. [1925-30]

mar-ke-t re-search (mär'kit rē'sürch, -rē sürch'), v.t. to conduct market research on. [1965-70]

mar/ke-t share, Econ. the specific percentage of total industry sales of a particular product achieved by a single company in a given period of time.

mar/ke-t town, a town where a regularly scheduled market is held. [1400-50; late ME]

mar/ke-t val-ue, 1. the value of a business, property, etc., in terms of what it can be sold for on the open market; current value (distinguished from book value). 2. See *market price*. [1685-95]

Mar-ke-vich (mär kē'vich; Russ. mār kye'vyich), n. Igor (ē'gor), 1912-83, Russian conductor and composer.

Mark-ham (mär'kam), n. 1. (Charles) Edwin, 1852-1940, U.S. poet. 2. Mount, a mountain in Antarctica, SW of the Ross Sea, 15,100 ft. (4600 m). 3. a town in SE Ontario, in S Canada, near Toronto, 77,037. 4. a city in NE Illinois, near Chicago, 15,172.

mark-khor (mär'khor), n., pl. -khors, (esp. collectively) -khor, markhor.

mark-khor (mär'khor), n., pl. -khors, (esp. collectively) -khor, a wild goat, *Capra falconeri*, of mountainous regions from Afghanistan to India, having compressed, spiral horns and long, shaggy hair; all populations are threatened or endangered. Also, *markhor*. [1865-70;]

CONCISE PRONUNCIATION KEY: bcl. căpe, dăre, pâr, set, equal; if, fec; ox, éser, ôder, oil, ôggă, ôbôt, out; up, úrpe; chîlç, ung; shoe, thîr; that, zh as in treasure, a = a as in alone, e as in system, i as in easy, o as in gallop, u as in circus, u as in fire (fîr), hour (hûr), i and n can serve as syllabic consonants, as in cradle (krăd'l), and button (but'n). See the full key inside the front cover.

EXHIBIT 25



C

SPECIAL REPORT
THE LAND OF THE
FREE PO

TECHNOLOGY MARKETING INTELLIGENCE

VOL. XVIII NO. 8
August 1998/\$5

Jupiter


CEO

Gene

DeRose

**gets the
funk out**

CPR 001966



Patrick Taylor had a challenge...

to pioneer their small company's unique approach to intranet/extranet security, ISS had to "zig" while 50 competitors were "zagging."

"Connect PR helped us become the acknowledged market leader."

"The press is inundated with new products and services related to networks and the web," Patrick notes. "We knew we had a great product, but the cycles move so quickly that it's very difficult to get media attention."

The technology was complicated, the environment was noisy and Patrick's budget was modest.

Connect PR had the solution.

"Connect got our message out," Patrick continues.

"In two years we've gone from 20 employees to 200. From \$250,000 in sales to \$13 million and 2,000 customers. This accelerated success has come, in part, from finding the right PR partner. Connect understands the network industry, quickly embraced our concept and hit the ground running."

Today, ISS leads its market and has recently realized a very successful IPO.

"When analysts look ISS up on their Bloomberg terminals, there are hundreds of stories—all positive. Every person at Connect is enthusiastic about our business. They do whatever it takes."

Thanks, Patrick. We've enjoyed helping.

We're the largest connectivity-specific PR firm in the world. We're driven by quality and results—not personalities.

Give us your toughest challenge. We'll help you implement the solution.



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AND LATIN AMERICA

Sumiko Yost had a challenge...

to find a quick, cost-effective way to heighten awareness of WRQ's software products among industry journalists in Asia Pacific, and to increase WRQ's market penetration there.

"WRQ is the 16th largest software company in the United States," Sumiko notes. "But we didn't have a strong foothold in Asia Pacific. Our PC/corporate network connectivity software is world class, but we hadn't developed the relationships we needed with the Asian media. We weren't sure how to best do that."

The marketing potential was enormous. Sumiko's budget was modest.



**"Connect's press summits
help us penetrate
the Asia Pacific market."**

Sumiko Yost, Marketing Manager-Asia - WRQ: Reflection and Express Software, Seattle, WA

INTERNATIONAL PRESS

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VENDORS TOGETHER

WITH 12 LEADING COMPUTER

INDUSTRY JOURNALISTS

FROM THAT SPECIFIC REGION

FOR ONE-ON-ONE MEETINGS

AND INFORMAL ASSOCIATION—

PROVIDING AN EXCELLENT

FORUM FOR ESTABLISHING

AND STRENGTHENING

INTERPERSONAL RELATION-

SHIPS WITH EDITORS.

Connect PR had the solution.

"Connect's press summits were exactly the right thing—at exactly the right time," Sumiko says. "Face-to-face interaction with some of Asia's top journalists has been a tremendous boost to our PR efforts."

Sumiko anticipates that Japan alone could soon become one of WRQ's most important markets.

"I continue building rapport with the editors I meet at the conferences. Many have become friends, as well as valuable business contacts. There's no substitute for learning market trends directly from the people that tend to steer and shape them. Connect's press summits have become a very useful tool for WRQ—we really look forward each time to attending."

Thanks, Sumiko. We've enjoyed having you there.

We're the largest connectivity-specific PR firm in the world. We're driven by quality and results—not personalities.

Give us your toughest challenge. We'll help you implement the solution.



Formerly Network Associates

www.connectpr.com

Connect Public Relations is a privately-owned company with offices in Provo, Utah and San Francisco.

CPR 001968

*Inside back
cover*

EXHIBIT 26

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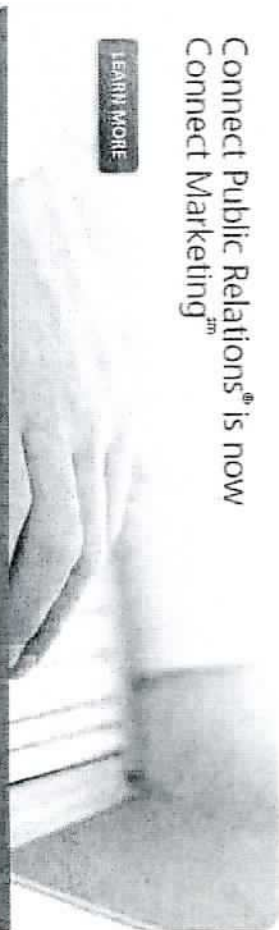
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Connect Marketing Blog

We Are All Pitchmen

August 7, 2011

I recently read *What the Dog Hears* by Malcolm Gladwell. If you haven't read it, you should. There are some excellent lessons for marketers. What caught my attention was his chapter on "pitchmen." It describes marketing in the late 1800s, where salesmen pitched their wares on soapboxes to townspeople gathered to hear their story. It all sounds so quaint and old fashioned. So far removed from what we do as "modern" marketing professionals. But is it? Gladwell describes the 1890's world of the pitchman. The pitchmen were the marketing execs of the 19th century. They spoke directly to the...

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We are expanding our brand. Today, Connect Public Relations® becomes Connect Marketing™. Don't think of this as a 'switch,' but rather as an 'expansion.' Here is the story ...

For 22 years we've been doing technology PR. Our goal has been to reach out to technology media and analysts to get coverage for our clients. About 5 years ago our clients started asking for more. They still wanted to reach traditional media, but wanted to include social media as well.

That drove us into new areas — blogs, forums, Facebook, Twitter and so on. But it didn't stop there. In this brave new Web 2.0 arena we also needed to build content. Infographs, videos, slide shows and so on. And we needed to engage with this new media. We had to monitor blogs and forums, engage where needed, measure what was being said, etc.

One day, about two years ago, we realized PR was no longer an accurate description of what we did. It is an important part of what we do, but not the complete story. We decided Connect Marketing™ was a more complete description.

So, welcome to Connect Marketing™. There are four parts of our new brand:

Connect Strategic™ is where we help our clients build effective messaging as well as conduct primary research (focus groups and surveys). **Connect Public Relations®** is the continuation of the traditional PR activities we've pursued for 22 years. It is still our core. **Connect Social™** is where we focus on all things Web 2.0 — social media, social networking, social content and social reference. And **Connect Studios™** is where we build meaningful, exciting, fun content — infographs, websites, videos and so on.

Take a look at our new website for more details on each area. And welcome to Connect Marketing™!

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Synantec Case Study

F5 Networks Case Study

Measurement



How effective is your marketing?

Research
Messaging
Measurement
Writing



Connect™ is driven by results — we judge our success by the exposure your company receives. Measuring the results of a marketing campaign can be a challenge, but Connect™ will work with you to determine your goals and the metrics by which to measure them.

We have developed a comprehensive set of tools to show you how effective your marketing is:

- Metric determination
- Custom URLs
- Bit.ly integration
- Impression tracking
- Integration of interactions into lead generation/tracking system
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Writing



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What's your company's story? Does it help drive your strategy? Is it written powerfully enough to spur thought, influence and sales in your markets?

While Connect™ can help you develop your core company story, our writing team can cast it in many forms: a press release, blog, video, brochure, podcast, white paper, web page, speech or any other communications vehicle.

Your written communications will benefit from our decades of experience. Our seasoned writers learn new subjects fast and can make the most complex ones clear and compelling.

Before starting, they always seek to understand your audience and the purpose of the written communication. What will the reader take away from it?



Only then do they begin building the story, weaving in your key strategic messages as well as examples, metaphors and narrative illustrations to carry the reader to its conclusion.

Connect Marketingsm highly values the written word and especially a well-told story. We can meet your writing needs with the same passion for your subject as you. We strive to spark a fire in your readers, influence your markets and drive sales. Those are the measures of our success.

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How to Design an Effective Survey

How to Develop Effective Messaging

What Is an Effective Survey?

A well-executed survey can provide several benefits for your company. It can generate thought leadership for your company or provide media buzz about a specific product. When conducted by a third party, it lends an authoritative voice to the results, showing the advantages your products offer. But the survey has to be effective in order for you to see any benefit.

An effective survey has two main qualities. First, it must be newsworthy. The media will not show interest in a stale or boring topic. For example, the transition from CRT to LCD monitors is a topic that is years out of date. The second vital quality for a survey is that it must lead to a conversation that will be beneficial for your company. If you produce security software, a survey that reports on consumers' eating habits may be interesting, but it will do nothing for your company.

Preparing the Survey

To design your survey, first consider the conversation you would like to engage in with the media. For example, Connect™ had a client which wanted to promote a product that monitors application traffic, to help IT staff reduce website downtime. IT professionals seemed unconvinced of the product's usefulness, believing that in the event that a company's website was down, a customer would simply return later to purchase the product. When a survey of consumers revealed that in fact customers simply purchased from a competitor rather than wait for a functional website, this provided a much more newsworthy talking point, which improved exposure for the monitoring solution.

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Once you select a topic, create a plan for the survey, including the process and your hypothesis regarding the results. Then, before creating the questions, outline the general question groups. This will help ensure that the survey covers all the relevant points. Having an excess of questions is preferable to realizing there was an important question you should have asked but didn't.

Selecting the Questions

There are several question formats you should take advantage of when preparing the survey.

- A simple yes/no format is ideal for questions such as basic information about the respondents and their organizations.
- Multiple-choice questions will likely form the majority of a survey. Allowing respondents to choose from a list instead of creating open-ended responses makes the data easier to analyze, and it keeps them on topic.
- Ratings questions include a scale to rank options presented. For example, the question might ask IT professionals to rank in order of importance five issues they will need to budget for during the coming year.

As you consider the format of your questions, you will want to get the most information out of the fewest questions, without being overly complex. For example, this question is not as effective as it could be:

Q. Do you currently use server virtualization in your data center?

If the answer is "no," further questions are necessary to find out if the respondent's company has plans to implement virtualization in the future. A more effective question might be:

Q. Please select your firm's current involvement in server virtualization.

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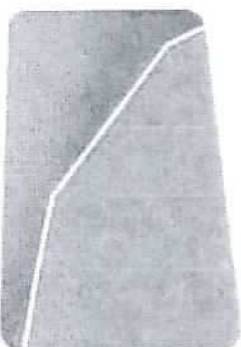


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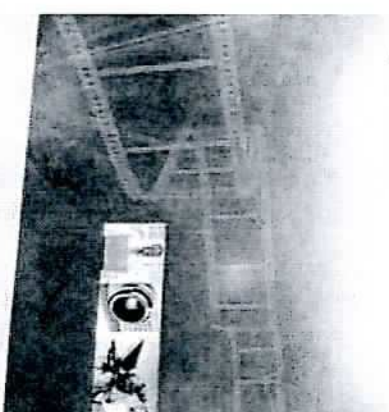
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Once you select a topic, create a plan for the survey, including the process and your hypothesis regarding the results. Then, before creating the questions, outline the general question groups. This will help ensure that the survey covers all the relevant points. Having an excess of questions is preferable to realizing there was an important question you should have asked but didn't.

Selecting the Questions

There are several question formats you should take advantage of when preparing the survey.

- A simple yes/no format is ideal for questions such as basic information about the respondents and their organizations.
- Multiple-choice questions will likely form the majority of a survey. Allowing respondents to choose from a list instead of creating open-ended responses makes the data easier to analyze, and it keeps them on topic.
- Ratings questions include a scale to rank options presented. For example, the question might ask IT professionals to rank in order of importance five issues they will need to budget for during the coming year.

As you consider the format of your questions, you will want to get the most information out of the fewest questions, without being overly complex. For example, this question is not as effective as it could be:

Q. Do you currently use server virtualization in your data center?

If the answer is "no," further questions are necessary to find out if the respondent's company has plans to implement virtualization in the future. A more effective question might be:

Q. Please select your firm's current involvement in server virtualization.

CPR 003149

- *Don't use and have no plans to use*
- *Discussing*
- *Currently in trials*
- *Implementing*
- *Already using*

Once the survey is designed, testing it on a few people will give you a sense of whether the questions are worded correctly. Unexpected responses can help you make any needed corrections before the full-scale survey is conducted.

With correct design and preparation, conducting a survey can provide you with valuable insight about your industry and clients, and it can help you promote your company and products. It also allows you to interact more directly with clients and influential figures in your industry, helping you to establish your thought leadership and improve market positioning.

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Say what you want to say.

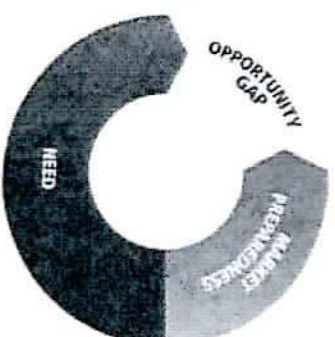


How to Design an Effective Survey How to Develop Effective Messaging

Connect™ has worked with more than 1500 different spokespeople over the years, and we've drawn on more than 22 years of experience to determine what makes messaging effective.

If you were in front of your ideal audience — the most influential editors and analysts in your industry — what would you tell them? The last thing you should do is simply stand in front of them and tell them what you do. Instead, take these steps.

1. First you will need to set the stage by discussing the problem which has been the impetus for your company's product. As Theodore Levitt of Harvard Business School famously stated, "People don't want a quarter-inch drill (when they go to a hardware store), they want a quarter-inch hole." If people are sold on the problem, they will be sold on the solution. In particular, editors and journalists are inundated with so much material that only something truly novel will catch their attention enough to warrant publishing. For example, showing how the need for mobile bandwidth has exploded within just the last few years is a relevant problem.
2. It's not enough to show that there is a need. For your story to make a difference, you have to show that the need is growing, using market drivers — facts about the market that are widely known to be true. As the need grows but the market preparedness doesn't, a gap springs up. This is the opportunity that the market influencers are looking for, and what you need to show in order to make your messaging effective.
3. Once you have established that there is a need in the market, you will need to show the options for meeting the need. There is always someone else in the market who has a solution for meeting the need. Rather than ignoring the competition, you should list all the current, reasonable alternatives, and then show how they all fall short of adequately meeting that need.
4. Once you have thoroughly examined the alternatives, your audience will naturally ask you what you do. This gives you the opportunity to explain how you are uniquely positioned to fill the needs gap.



By taking the time to pique the interest of your audience, and allow them to fully understand the issues and come to their own conclusions, they

- *Don't use and have no plans to use*
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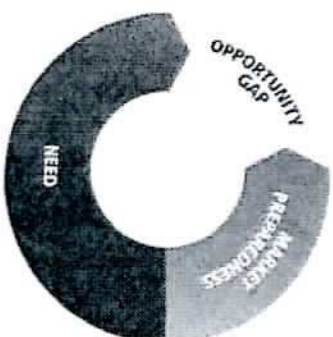


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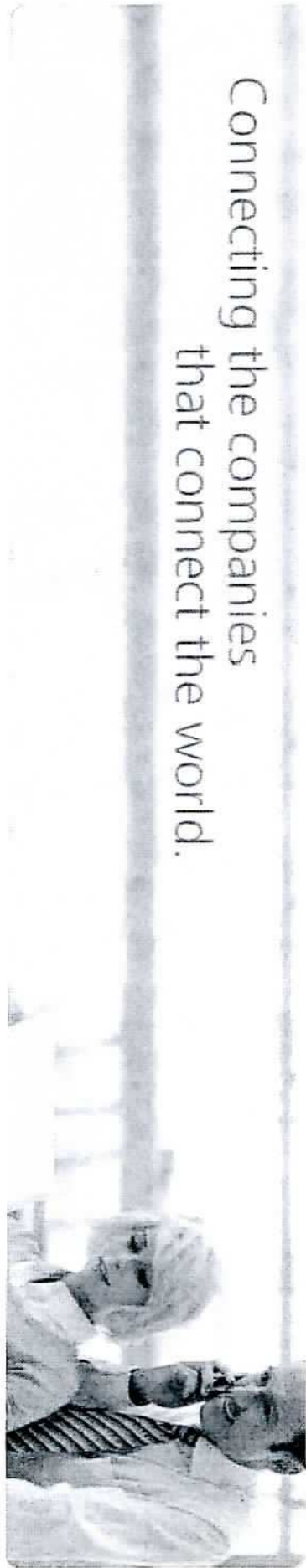
will naturally understand that your product is worth their time to cover. This is a much more effective way to approach messaging than a more straightforward approach of simply stating what you do.

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Connecting the companies
that connect the world.



How We Can Help

Resources

Client Experience

Media Relations

Analyst Relations

Speaker Placement



New media? Old media? When the world needs to hear, understand and act on your strategic messages, Connect™ doesn't think in those terms, even though we have all of today's media channels covered.

Instead we think about our relationships. With your industry's influencers. They may be journalists, editors, bloggers, consultants or customer champions. Most often, they're all of the above.

Who we know. We've carefully built our relationships with key influencers across a number of industries, especially high technology. We've done so over years if not decades, going back to our founding in 1989. They know us not as spin doctors but as hard-working, reliable sources of timely, quality information about our clients' products and services.

In short, we help them do their jobs of keeping their constituencies abreast of the latest industry news, with our clients as **credibility**

noteworthy sources.

What we know. To help us understand what media channels are most effective, we regularly survey high-level executives across both private and public sectors to learn how they stay informed. For all their awareness of social media today, our *2011 Media Affinity Study* revealed that their top two information sources are technology and trade magazines. "Old" media, in fact, has as much drawing power as ever.

Whether its media relations, analyst relations or speaker placements, Connect™ has the capabilities, experience and relationships to execute effective public relations strategies that can deliver tangible results to your business.

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Make a mark on the industry.

Media Relations

Analyst Relations

Speaker Placement

Our *2011 Media Affinity Study* showed that, for the 500 top executives we surveyed, traditional media like technology and trade magazines were primary information sources for most (80 percent and 76 percent respectively). Today's media relations challenge is how to best take advantage of the additional media channels such as blogs and forums that have grown up in the past 20 years.

What matters most. Connect™ has stayed apace with the development of these online channels. Their power lies in the near real-time speed and breadth of the Internet. Nonetheless, when placing client news in whatever channels are most appropriate for their objectives, our media relationships matter most in gaining coverage.

Many of the people behind the blogs, forums and other so-called new media are the same with whom we established close relationships while they were writers or editors for print media. Quite a few now work in both camps.

Conversation architects. In many respects, we consider ourselves "conversation architects" who specialize in steering an industry's narrative forward by providing influencers with valuable new information and insights from our clients.

Connect™ focuses its media relations initiatives on market, customer and prospect engagement. Article placements, while still important, are not as important as other metrics such as share of voice, message penetration and changes in brand perception are better measure "expressions" — the extent to which our client messages get relayed and amplified within their industry — than the more traditional "impressions."

In fact, one client that used to measure its media relations efforts by impressions, would count more than 100 million impressions most months with upwards of 200 million impressions in good months. So what? Were new prospects engaged? Were sales cycles accelerated? Were sales closed? They couldn't say, as they weren't measuring what actions resulted from their efforts.



Strategy execution. Unlike most other agencies, we help our clients put their media relations efforts in the broader context of helping to drive their overall marketing and sales strategies. We work with them to develop an integrated strategic plan that will build credibility through thought leadership, then help them execute that plan across all media channels relevant to their target audiences.

Connect™ seeks more than influencer and editorial coverage for your company; we seek coverage that matters — to your business, your brand and your bottom line.

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Be heard *and* seen.



Media Relations

Analyst Relations

Speaker Placement

As a leading high-tech media relations agency, Connect™ knows the value of visibility. Through Connect™'s speaker placement program, your company can make itself heard through representation at the most important events in your industry. Speaking engagements are one of the best ways to bring your company into the spotlight, establish thought leadership and make professional connections that will prove valuable to your business.

Connect™ monitors more than 500 national conferences and industry events each year. In the past 12 months, we have placed more than 100 speakers for our clients at trade events. Our program includes the following services:

- Customized event target list based on the importance of the event in your industry, including attendees, potential media coverage, competitors attending or speaking and audience type
- Tracking of submission deadlines and requirements
- Full integration with media relations to provide speaker topic recommendations based on upcoming product releases, new thought leadership, executive platforms, etc.
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Connect™ can find the right event for you to share your vision with the most prominent influencers in your field.

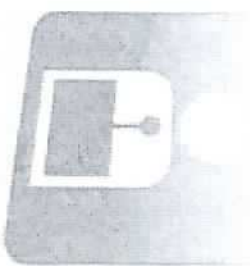


EXHIBIT 27



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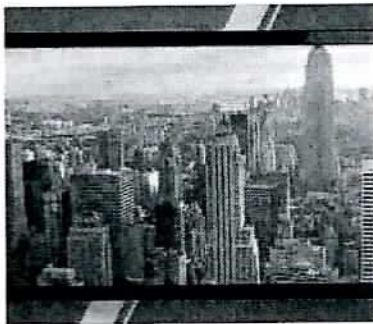
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take you to the top

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CLIENTS IN THE NEWS

THE 10 HIGHEST-RATED TECH COMPANY CEOs



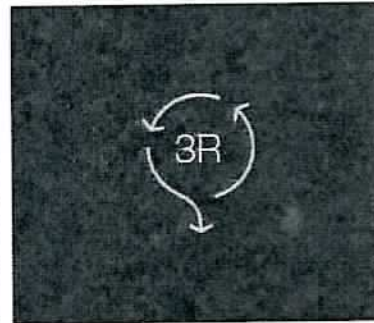
STATE OF VIDEO STUDY

How can you effectively use
videos in your marketing?



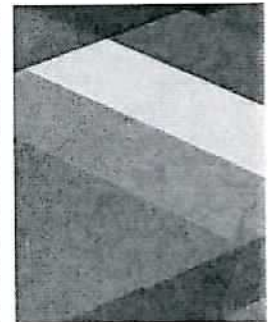
MEDIA AFFINITY SURVEY

Where are companies turning
for vital information?



SOCIAL MEDIA STRATEGY

Three reasons B2B social media
programs fail.



THE HONEY STICK PROJECT

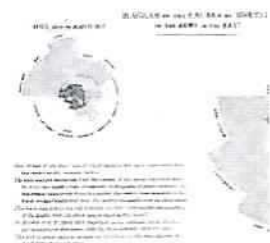
Leading research on Internet st

CONNECT MARKETING BLOG


Why Infographics?

Infographics are all the rage these days in marketing departments. But why? What can an infographic do that other marketing tools can't? And, just as importantly, what are the limits of infographics?

Most believe infographics are new, but early examples can be found as far back as the 17th century. Look at this infographic



Florence Nightengale produced in 1857 to convince Queen Victoria to improve conditions in military hospitals. It is a little rough (I assume she used an early v. Illustrator), but I can see a cleaned-up version passing easily in today's world ...

Continue reading 

LOCATIONS

FOLLOW US



San Francisco

One Market Street 36th Floor
San Francisco, California 94105 USA
(415) 222-9661
(800) 455-8835
info@connectmarketing.com

Provo

80 E 100 N
Provo, Utah 84606 USA
(801) 373-7888

Phoenix

25616 South 193 Place
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Connect Public Relations® and Connect PR® provide the following services:

- Communications services, namely, delivery of messages by electronic transmission;
- Marketing, namely, business marketing services; market research and marketing consulting services; public and media relations services; sales promotion; marketing consultation services in the fields of computer hardware and software; marketing consultation services in the field of computer networks; marketing services, namely, designing online marketing programs for social networking websites and business networking websites;
- Marketing and market research and consulting services; public and media relations services and sales promotion services.

LOCATIONS

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San Francisco

One Market Street 36th Floor
San Francisco, California 94105 USA
(415) 222-9651
(800) 455-8955
info@connectmarketing.com

Provo

80 E 100 N
Provo, Utah 84606 USA
(801) 373-7688

Phoenix

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HOW WE CAN HELP CLIENT EXPERIENCE

Overview

Do traditional media even matter anymore? According to our recent Media Affinity Study — *absolutely*. Traditional media such as technology press, business press and vertical press are one of the five key ways IT buyers learn about new technology and research products.

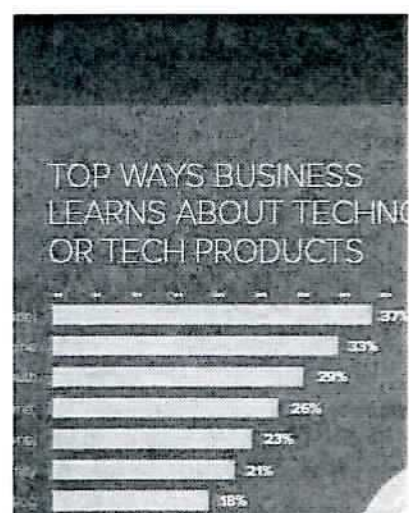
Media Relations

Analyst Relations

Speaker Placement

Connect Public Relations® has been working to get our clients stories told by traditional media since 1989. Today we secure more than 25,000 articles each year in the form of news stories, product reviews, contributed articles, thought leadership stories and so on.

Whether it is working with editors, coordinating analysts or even placing your spokespeople at speaking events, Connect Public Relations® can help.



4/4/2014

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LOCATIONS

San Francisco

One Market Street 36th Floor
San Francisco, California 94105 USA
(415) 322-9601
(800) 455-8655
info@connectmarketing.com

Provo

80 E 100 N
Provo, Utah 84606 USA
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HOW WE CAN HELP CLIENT EXPERIENCE

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MEDIA RELATIONS

Media Relations

Do traditional media — magazines, newspapers, broadcast and so on — still matter? After all, social media has become very important very quickly. However, according to our Media Affinity Study, traditional media are still in the top five in terms of how buyers learn about new products and services. It makes sense because traditional media have a very broad reach and provide a level of credibility and reliability that social media cannot yet match.

Analyst Relations

Speaker Placement

Outreach to traditional media builds brand awareness, establishes thought leadership and communicates news about products and services. Taken as a whole, these efforts provide a high level of visibility for your company.

Connect Public Relations® can help. We have deep experience and relationships with the media contacts that matter. We know what they want and need, and use that to secure more than 25,000 placements for our clients, from news stories to in-depth reviews and profiles.

For example, Connect® has helped Symantec establish its Internet Security Threat Report (ISTR) as the industry's premier report on the Internet threat landscape. In the



2013 report, with Connect's help, outreach around the ISTR resulted in thousands of articles in outlets such as *Associated Press*, *Reuters*, *Wall Street Journal*, *Economic Times*, and *CIO*.

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San Francisco, California 94105 USA
(415) 222-9691
(800) 455-8855
info@connectmarketing.com

Provo

80 E 100 N
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ANALYST RELATIONS

Analysts are an important audience for any high tech marketer. First, they directly influence markets through reports and consulting. Second, traditional media depend on analysts for both background validation as well as quotes for articles. It is therefore important to formally influence analysts as part of your public relations efforts.

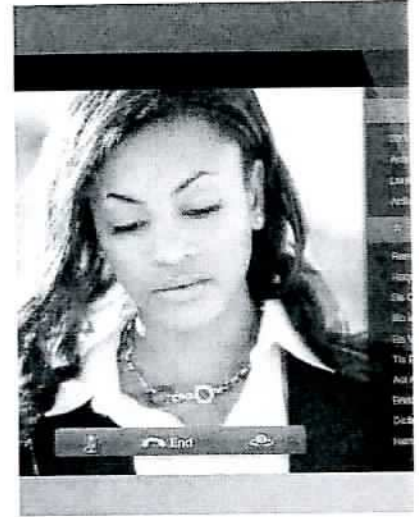
At ConnectSM we help clients manage this process with a formal analyst relations methodology:

1. Identify key analysts. We work with hundreds of analysts in many market segments. The first step is to create a list of both the formal and traditional analysts that follow your market segment as well as informal consultants and blogger/analysts.
2. Build rapport. We put you in front of these analysts in both formal as well as informal settings so that you can build rapport with them. By rapport we don't simply mean they like you (although that is important), but rather that they view you as a visionary in either a technology or a business sense (or both). If they see



this vision they are more likely to believe in your company.

3. Educate. We help you educate the analysts on your company, your solutions and your overall vision. Our goal is to get the analysts to believe in your approach. Step one is that they understand it.
4. Nurture. Once these steps are complete we nurture the relationship over time by keeping them abreast of news, sharing market traction with them, and putting you in contact with them from time to time to build on the relationship.



LOCATIONS

San Francisco

One Market Street 36th Floor
San Francisco, California 94105 USA
(415) 222-9691
(800) 455-8855
info@connectmarketing.com

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SPEAKER PLACEMENT

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Building brand visibility

 Watch the video 

HOW WE CAN HELP CLIENT EXPERIENCE

In 2010 Symantec became aware of a serious emerging threat called Stuxnet. The Symantec team realized that they could help solve the problem while simultaneously improving their share of voice in the security industry. They worked with ConnectSM to create and implement a comprehensive public relations campaign.

The goals of the campaign were to establish Symantec's leadership on the issue, and to help prevent the propagation of misinformation. To accomplish this, ConnectSM used a variety of media, both traditional and social.

The campaign included 20 Stuxnet-related posts written for the Symantec Response blog, which is followed by a large number of IT administrators, business owners, reporters and Internet security experts. It also included a series of tweets regarding progress on the research, as well as a presentation at the Virus Bulletin 2010 conference. The presentation was a unique opportunity that involved a demonstration of Stuxnet's ability to affect industrial machinery, and a dossier of research results distributed to professionals of various industries in order to foster collaborative security efforts.

The results of the campaign exceeded expectations. To date, Symantec spokespeople have fielded more than 60 related media interviews. Symantec has



been included in more than 780 print/online stories, 28 broadcast/radio segments, more than 400 blog posts and more than 2,000 tweets all on the topic of Stuxnet. Overall, Symantec received more than a 50 percent of voice regarding Stuxnet, while no single competitor registered even 10 percent. The campaign was instrumental in cementing Symantec's reputation as a leader in cyber security.

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info@connectmarketing.com

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ABOUT CONNECT MARKETINGSM



Business-to-business marketing is changing dramatically. Traditional methods of promoting your business are no longer sufficient — you need to employ fully integrated marketing tools to succeed in today's global economy.

For more than 25 years, ConnectSM has been a leading high-tech marketing agency utilizing connectivity — technology that connects people. We've helped more than 400 high technology enterprises get noticed. We know technology, and our experienced account managers will dive right in, get to know you and your business, and get the results you expect.

Over the years ConnectSM has grown from a small firm focused exclusively on public relations to a full-service high tech marketing agency. Our four divisions provide a comprehensive set of marketing services.

Connect StrategicSM provides foundational services for your marketing campaigns, including strategy and message development.

Connect Public Relations[®] offers traditional PR services, including press releases and media and analyst relations.

Connect SocialSM specializes in utilizing the power of Web 2.0 to promote your company, through utilizing social media, social networking, direct content and reference content.

Connect StudiosSM leverages the power of creativity to produce videos, infographics, website content and multimedia presentations to give your marketing materials extra polish.

CONNECT MARKETINGSM, INC.

One Market Street
36th Floor
San Francisco, California 94105
(415) 222-9691
(800) 455-8855
info@connectmarketing.com

Provo Office:

80 E 100 N
Provo, Utah 84606
(801) 373-7888

Phoenix Office:

25816 South 193 Place
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Venice Office:

1600 Main Street #55
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WHY CHOOSE CONNECTSM?

Simply put, we get the results your company is looking for. At ConnectSM, our employees are driven, proactive self-starters who deliver on their promises and great content for our clients. ConnectSM provides a wide range of services for our clients globally from social media advisement and survey development to video production and campaign content composition.

Our agency is accountable for its work. We stand by our work and will stop at nothing to ensure it is nothing less than the best. We bill by project, so our clients advance exactly how much each activity will cost. This makes budgeting simple, and the client knows what they are getting from the start, with no surprises at the project.

ConnectSM employees take pride in their work and are extremely proactive. If you have to babysit your agency, then you have the wrong agency. We know what's next — you don't have to tell us. Our employees take pride in their work and their relationships with clients. With more than 22 years of experience in the tech industry, ConnectSM can strategically guide you in the right direction for your business.

We are also passionate about what we do. Most agencies are excited about one thing — money. What makes us excited is *results*. That's why we don't have ad minimums. No matter how large or small your company is, we'll share your passion. Perhaps that's why our client tenure averages four times the industry average. We take pride in our work, and our agency.

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info@connectmarketing.com

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80 E 100 N
Provo, Utah 84606 USA
(801) 373-7865

Phoenix

25816 South 193 Place
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For job applicants, recruiting, or internships, contact [Janeen Bullock](mailto:janeenb@connectpr.com) (janeenb@connectpr.com).

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Connect PR has been our sole focus for 15 years. Our extensive network of analyst and press contacts enable us to place more than 1700 article placements a month. Come see why Connect is the leading PR firm for connectivity companies.



Recent Client Coverage

13 October 2008 [[download release](#)]

PR SourceCode, a content service provider, awarded Holly Hagerman, a senior partner with Connect Public Relations, as one of 2008's Top Tech Communicators. Hagerman was presented with this award because of her excellent responsiveness, reliability, and overall recognition of editorial needs.

13 October 2008 [[download release](#)]

Connect Public Relations, a leading high-tech PR firm, announced today that for the second consecutive year was named to the Inc. 5000 list of "The Fastest Growing Private Companies in America." The consistent results produced by Connect for its clients is clearly

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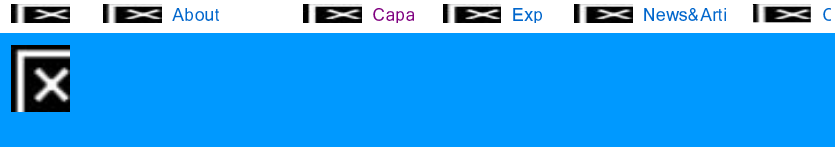
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A clear, concise message is a requirement for a successful media campaign. A common complaint of analysts and reporters is that spokespeople are unable to clearly explain their product. [Connect has been helping companies clarify their message for 15 years.](#)



We have a simple process for helping companies build their message. Our process is based on answering the five key questions analysts and media have about any new company or product.

1. What need drives customers to look for your company's solution?
2. What market drivers are making this need more acute as time passes?
3. What are the alternative ways to meet this need today?
4. What are the shortcomings with these alternatives?
5. How does your solution overcome these shortcomings?

The answers to these five questions form the basis of a clear, concise message. Over the past 15 years we have developed an efficient process to discover and articulate our client's message.

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